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Daily Digest

Tuesday, January 4, 2005

Senate

Chamber Action

Routine Proceedings, pages 1–35

Measures Submitted: Six resolutions were submitted, as follows: S. Res. 1–4, and S. Con. Res. 1–2. **Page 29**

Administration of Oath of Office: The Senators-elect were administered the oath of office by the Vice President of the United States. **Page 4**

Measures Passed:

Notification to the President: Senate agreed to S. Res. 1, informing the President of the United States that a quorum of each House is assembled. **Page 6**

Notification to the House of Representatives: Senate agreed to S. Res. 2, informing the House of Representatives that a quorum of the Senate is assembled. **Page 6**

Fixing the Hour of Daily Meeting: Senate agreed to S. Res. 3, fixing the hour of daily meeting of the Senate. **Page 6**

Counting of Electoral Votes: Senate agreed to S. Con. Res. 1, to provide for the counting on January 6, 2005, of the electoral votes for President and Vice President of the United States. **Page 6**

Subsequently, the Chair appointed Senators Lott and Dodd as tellers on the part of the Senate to count electoral votes. **Page 7**

Joint Congressional Committee on Inaugural Ceremonies: Senate agreed to S. Con. Res. 2, to extend the life of the Joint Congressional Committee on Inaugural Ceremonies and the provisions of S. Con. Res. 93 and S. Con. Res. 94 of the One Hundred Eighth Congress. **Page 7**

Expressing Sympathy For Tsunami Victims: Senate agreed to S. Res. 4, expressing the sympathy and pledging the support of the United States Senate and the people of the United States for the victims of the powerful earthquake and devastating tsunami that struck Bangladesh, Burma, India, Indonesia, Kenya, Malaysia, the Maldives, the Seychelles, Somalia, Sri Lanka, Tanzania, Thailand, and other areas of South Asia, Southeast Asia, and Africa, on December 26, 2004. **Page 7**

Unanimous Consent Agreements:

Authority for Select Committee on Ethics: Senate agreed that, for the duration of the 109th Congress, the Ethics Committee be authorized to meet during the session of the Senate. **Page 7**

Time for Roll Call Votes: Senate agreed that, during the 109th Congress, there be a limitation of 15 minutes each upon any roll call vote, with the warning signal to be sounded at the midway point, beginning at the last 7½ minutes, and when roll call votes are of 10-minute duration, the warning signal be sounded at the beginning of the last 7½ minutes. **Page 7**

Authority to Receive Reports: Senate agreed that, during the 109th Congress, it be in order for the Secretary of the Senate to receive reports at the desk when presented by a Senator at any time during the day of the session of the Senate. **Page 7**

Recognition of Leadership: Senate agreed that, the Majority and Minority Leaders may daily have up to 10 minutes each on each calendar day following the prayer, and disposition of the reading of, or the approval of, the Journal. **Page 7**

House Parliamentarian Floor Privileges: Senate agreed that, the Parliamentarian of the House of Representatives and his five assistants be given the privileges of the floor during the 109th Congress. **Page 7**

Printing of Conference Reports: Senate agreed that, notwithstanding the provisions of Rule XXVIII, conference reports and statements accompanying them not be printed as Senate reports when such conference reports and statements have been printed as a House report unless specific request is made in the Senate in each instance to have such a report printed. **Page 7**

Authority for Appropriations Committee: Senate agreed that, the Committee on Appropriations be authorized during the 109th Congress to file reports during adjournments or recesses of the Senate on appropriations bills, including joint resolutions, together with any accompanying notices of motions to suspend Rule XVI, pursuant to Rule V, for the purpose of offering certain amendments to such bills or joint resolutions, which proposed amendments shall be printed. **Page 7**

Authority for Corrections in Engrossment: Senate agreed that, for the duration of the 109th Congress, the

Secretary of the Senate be authorized to make technical and clerical corrections in the engrossments of all Senate-passed bills and resolutions, Senate amendments to House bills and resolutions, Senate amendments to House amendments to Senate bills and resolutions, and Senate amendments to House amendments to House bills or resolutions. **Page 7**

Authority to Receive Messages and Sign Enrolled Measures: Senate agreed that, for the duration of the 109th Congress, when the Senate is in recess or adjournment, the Secretary of the Senate is authorized to receive messages from the President of the United States, and—with the exception of House bills, joint resolutions and concurrent resolutions—messages from the House of Representatives; and that they be appropriately referred; and that the President of the Senate, the President pro tempore, and the Acting President pro tempore be authorized to sign duly enrolled bills and joint resolutions. **Page 7**

Privileges of the Floor: Senate agreed that, for the duration of the 109th Congress, Senators be allowed to leave at the desk with the Journal Clerk the names of two staff members who will be granted the privilege of the floor during the consideration of the specific matter noted, and that the Sergeant-at-Arms be instructed to rotate such staff members as space allows. **Page 7**

Referral of Treaties and Nominations: Senate agreed that, for the duration of the 109th Congress, it be in order to refer treaties and nominations on the day when they are received from the President, even when the Senate has no executive session that day. **Page 7**

Authority to Introduce Measures: Senate agreed that, for the duration of the 109th Congress, Senators may be allowed to bring to the desk bills, joint resolutions, concurrent resolutions, and simple resolutions, for referral to appropriate committees. **Page 7**

Authority to Introduce Measures: Senate agreed that, it not be in order to introduce bills or resolutions, until January 24, 2005. **Page 7**

Nominations Received: Senate received the following nominations:

Mike Johanns, of Nebraska, to be Secretary of Agriculture.

Carlos M. Gutierrez, of Michigan, to be Secretary of Commerce.

Samuel W. Bodman, of Massachusetts, to be Secretary of Energy.

Albert Henry Konetzni, Jr., of New York, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2009.

Gregory B. Jaczko, of the District of Columbia, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2008.

Michael O. Leavitt, of Utah, to be Secretary of Health and Human Services.

Jeffrey Robert Brown, of Illinois, to be a Member of Social Security Advisory Board for a term expiring September 30, 2008.

Condoleezza Rice, of California, to be Secretary of State.

Adolfo A. Franco, of Virginia, to be a Member of the Board of Directors of the Inter-American Foundation for a term expiring September 20, 2008.

Roger Francisco Noriega, of Kansas, to be a Member of the Board of Directors of the Inter-American Foundation for a term expiring September 20, 2006.

Margaret Spellings, of Texas, to be Secretary of Education.

Alberto R. Gonzales, of Texas, to be Attorney General.

Jim Nicholson, of Colorado, to be Secretary of Veterans Affairs. **Page 35**

Executive Communications: **Page 29**

Additional Statements: **Page 29**

Privilege of the Floor: **Page 31**

Quorum Calls: One quorum call was taken today. (Total—1) **Page 5**

Adjournment: Senate met at 12:01 p.m. for the convening of the First Session of the 109th Congress, and adjourned at 5:53 p.m., until 9:30 a.m., on Thursday, January 6, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 35.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Measures Introduced: 204 public bills, H.R. 11–18, 20–43, 45–49, 51–57, 59–87, 89–90, 92–100, 108–129, 131–152, 155–162, 164–172, 174–188, 190–225, 229–231, 233–237; and 49 resolutions, H.J. Res. 1–7, 9; H. Con. Res. 1–6, 8–12, and H. Res. 1–18, 20–31 were introduced. **Page 111**

Reports Filed: Reports were filed today as follows:

Filed on December 27, 2004: Committee on Transportation and Infrastructure. Summary of Legislative and Oversight Activities of the Committee on Transportation and Infrastructure for the 108th Congress (H. Rept. 108–799);

Filed on December 29, 2004: Committee on Small Business. Summary of Activities of the Committee on Small Business for the 108th Congress (H. Rept. 108–800);

Filed on January 3: Committee on Appropriations. Report on Activities of the Committee on Appropriations, 108th Congress (H. Rept. 108–801);

Filed on January 3: Committee on Financial Services. Report on the Activity of the Committee on Financial Services for the 108th Congress (H. Rept. 108–802);

Filed on January 3: Committee on Energy and Commerce. Report on the Activity of the Committee on Energy and Commerce, 108th Congress (H. Rept. 108–803);

Filed on January 3: Committee on Agriculture. Report of the Committee on Agriculture on Activities During the 108th Congress (H. Rept. 108–804);

Filed on January 3: Committee on the Judiciary. Report of the Activities of the Committee on the Judiciary During the 108th Congress (H. Rept. 108–805);

Filed on January 3: Committee on Standards of Official Conduct. Summary of Activities of the Committee on Standards of Official Conduct for the 108th Congress (H. Rept. 108–806);

Filed on January 3: Committee on Armed Services. Report of the Activities of the Committee on Armed Services, 108th Congress (H. Rept. 108–807);

Filed on January 3: Committee on Veterans' Affairs. Activities Report of the Comittee on Veterans' Affairs, 108th Congress (H. Rept. 108–808);

Filed on January 3: Committee on International Relations. Legislative Review Activities of the Committee on International Relations, 108th Congress (H. Rept. 108–809);

Filed on January 3: Committee on Ways and Means. Report on the Legislative and Oversight Activities of the Committee on Ways and Means During the 108th Congress (H. Rept. 108–810);

Filed on January 3: Committee on Resources. Report on Legislative and Oversight Activities of the Committee on Resources During the 108th Congress (H. Rept. 108–811);

Filed on January 3: Select Committee on Homeland Security. Report on Legislative and Oversight Activities of the House Select Committee on Homeland Security During the 108th Congress (H. Rept. 108–812);

Filed on January 3: Committee on Education and the Workforce. Report on the Activities of the Committee on Education and the Workforce During the 108th Congress (H. Rept. 108–813); and

Filed on January 3: Committee on Rules. Survey of Activities of the House Committee on Rules, 108th Congress (H. Rept. 108–814). **Page 110**

Election of Speaker: The Honorable J. Dennis Hastert of Illinois was elected Speaker of the House of Representatives and received 226 votes. The Honorable Nancy Pelosi of California received 199 votes, the Honorable John Murtha of Pennsylvania received one vote, and one member-elect voted "present". Earlier, the Clerk appointed Rerpresentatives-elect Ney, Larson of Connecticut, Johnson of Connecticut, and Kaptur to act as Tellers. **Page 37**

Escort Committee: The Clerk appointed the following committee to escort the Speaker-elect to the Chair: Representatives-elect Pelosi, DeLay, Blunt, Hoyer, Pryce of Ohio, Menendez, Hyde, Evans, Costello, Gutierrez, Manzullo, Rush, LaHood, Weller, Jackson of Illinois, Davis of Illinois, Shimkus, Biggert, Schakowsky, Johnson of Illinois, Kirk, Emanuel, Bean, and Lipinski. **Page 38**

Administration of the Oath of Office to Members of the 109th Congress: The Dean of the House, the Honorable John D. Dingell administered the oath of office to the Speaker. The Speaker then administered the oath to the Members, Resident Commissioner, and Delegates. **Page 41**

Election of Majority and Minority Leaders: The Chairman of the Republican Conference, Representative Pryce of Ohio, announced the election of Representative DeLay as the Majority Leader. The Chairman of the Democratic Caucus, Representative Menendez, announced the election of Representative Pelosi as the Minority Leader. **Page 41**

Election of Majority and Minority Whips: The Chairman of the Republican Conference, Representative Pryce of Ohio, announced the election of Representative Roy Blunt as the Majority Whip. The Chairman of the Democratic Caucus, Representative Menendez, announced the election of Representative Hoyer as the Minority Whip. **Page 41**

Electing Officers of the House of Representatives: The House agreed to H. Res. 1, choosing the following officers for the House of Representatives: Jeffrey J. Trandahl, Clerk; Wilson S. Livingood, Sergeant at Arms; James M. Eagen III, Chief Administrative Officer; and Father Daniel P. Coughlin, Chaplain. **Page 41**

On a division of the question, rejected the Menendez amendment that sought to choose Jerry Hartz as Clerk; Dean Aguillen as Sergeant at Arms; and Terri McCullough as Chief Administrative Officer. **Page 42**

Notify the Senate that a Quorum has Assembled: The House agreed to H. Res. 2, to inform the Senate that a quorum of the House has assembled and of the election of the Speaker and Clerk. **Page 42**

Notify the President of the Assembly of the 109th Congress: The House agreed to H. Res. 3, authorizing the Speaker to appoint members of the House to a joint committee to notify the President of the assembly of the Congress. Subsequently, the Speaker appointed Representatives DeLay and Pelosi to the committee. Later Representative DeLay announced that the Committee to notify the President that a quorum of each House had assembled and was ready to receive any communication that he may be pleased to make. **Page 42**

Notify the President of the Election of the Speaker and the Clerk: The House agreed to H. Res. 4, authorizing the Clerk to inform the President of the election of the Speaker and the Clerk. **Page 42**

Adopting Rules for the One Hundred Ninth Congress: The House agreed to H. Res. 5, adopting rules for the One Hundred Ninth Congress by a yea and nay vote of 220 yeas to 195 nays, Roll No. 6, after agreeing to order the previous question by a yea and nay vote of 222 yeas to 196 nays, Roll No. 4. **Page 42**

Earlier it was agreed to consider the resolution by a yea and nay vote of 224 yeas to 192 nays and one voting "present", Roll No. 3. **Page 46**

A point of order offered by Representative Baird on the content of the measure was ruled not recognizable. **Page 44**

Rejected the Slaughter motion to commit the resolution to a select committee composed of the Majority Leader and Minority Leader with instructions to report it back to the House forthwith with amendments, by a yea and nay vote of 196 yeas to 219 nays, Roll No. 5. **Page 66**

Rules Committee Membership: The House agreed to H. Res. 6, electing Representatives Dreier (Chairman), Lincoln Diaz-Balart (FL), Hastings (WA), Sessions, Putnam, Capito, Cole and Bishop (UT) to the Committee on Rules. **Page 67**

Designation of Minority Employees: The House agreed to H. Res. 7, designating minority employees pursuant to the Legislative Pay Act of 1929, as amended. **Page 68**

Daily Hour of Meeting: The House agreed to H. Res. 8, fixing the daily hour of meeting of the first session of the One Hundred Ninth Congress. **Page 68**

Assembly outside of the District of Columbia: The House agreed to H. Con. Res. 1, regarding consent to assemble outside of the District of Columbia. **Page 68**

Counting of Electoral Votes: The House agreed to S. Con. Res. 1, providing for the counting on January 6, 2005, of the electoral votes for President and Vice President of the United States. **Page 68**

Joint Committee on Inaugural Ceremonies: The House agreed to S. Con. Res. 2, extending the power and authority of the joint committee created pursuant to S. Con. Res. 94, and also to extend the provisions of S. Con. Res. 93 regarding the use of the Rotunda for the inaugural ceremonies. Subsequently, the Chair announced the Speaker's reappointment of the following members of the House to the Joint Inaugural Committee: Speaker Hastert, and Representatives DeLay and Pelosi. **Page 68**

Attendance at the Inauguration of the President and Vice President: The House agreed to H. Res. 9, providing for the attendance of the House at the Inaugural Ceremonies of the President and Vice President on Thursday, January 20, 2005. **Page 69**

Conditional Adjournment of Both Houses: The House agreed to H. Con. Res. 2, providing for the conditional recess or adjournment of the House of Representatives and Senate. **Page 69**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 11 a.m. on Thursday, January 6, 2005. **Page 69**

Appointment Authority: Agreed that during the First Session of the One Hundred Ninth Congress, the Speaker, Majority Leader, and Minority Leader be authorized to accept resignations and to make appointments authorized by law or by the House. **Page 69**

Extension of Remarks: Agreed that during the First Session of the One Hundred Ninth Congress, all Members be permitted to extend their remarks and to include extraneous material within the permitted limit in that section of the Record entitled "Extensions of Remarks". **Page 69**

Policies of the Chair: The Chair announced his policies with respect to particular aspects of the legislative process dealing with (1) privileges of the floor; (2) introduction of bills and resolutions; (3) unanimous-consent agreements; (4) recognition for one-minute speeches, morning-hour debate, and special orders; (5) decorum in debate; (6) conduct of votes by electronic device; (7) distribution of written material on the House floor; (8) use of wireless telephones or personal computers on the House floor; and (9) jurisdictional issues. Without objection the announcements will be printed in the Record. **Page 69**

Permanent Select Committee on Intelligence Appointment: The Chair announced the Speaker's appointment of Representative Hoekstra as Chairman of the Permanent Select Committee on Intelligence. **Page 71**

House Office Buildings Commission: The Chair announced that Representatives DeLay and Pelosi will serve as members of the House Office Building Commission with Speaker Hastert. **Page 71**

Clerk Designations: Read a letter from the Clerk wherein he designated Mr. Gerasimos C. Vans, Deputy Clerk; Ms. Marjorie C. Kelaher, Assistant to the Clerk; or Mr. Daniel J. Strodel, Assistant to the Clerk, to sign any and all papers and do all other acts in case of his temporary absence or disability. **Page 71**

Homeland Security Committee: The House agreed to H. Res. 10, providing for the interim expenses of the Committee on Homeland Security in the first session of the One Hundred Ninth Congress. **Page 71**

Morning Hour Debate: During the first session of the 109th Congress, agreed that on the legislative days of Monday and Tuesday before May 16, 2005, the House shall convene 90 minutes earlier than otherwise established for the purpose of morning-hour debate. Agreed that on the legislative day of Tuesday after May 16, 2005, the House shall convene for morning-hour debate one hour earlier than the time otherwise established. **Page 73**

Expressing condolences and support for the victims of the tsunami in South and Southeast Asia: The House agreed to H. Res. 12, expressing condolences and support for assistance to the victims of the earthquake and tsunamis that occurred on December 26, 2004, in South and Southeast Asia. **Page 73**

In Memory of the late Honorable Robert T. Matsui of California: The House agreed to H. Res. 11, expressing the condolences of the House on the death of the Honorable Robert T. Matsui, a Representative from the State of California. **Page 81**

Senate Message: Message received from the Senate appears on page 68.

Quorum Calls—Votes: 5 yea and nay votes developed during the proceedings today and appear on pages 37, 46, and 65–67. There was one quorum call, Roll No. 1, which appears on page 36.

Adjournment: The House met at 12 noon and at 9:25 p.m. pursuant to the provisions of H. Res. 11, it stands adjourned in memory of the late Honorable Robert T. Matsui.

Committee Meetings

No committee meetings were held.

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Thursday, January 6, 2005

Senate

Chamber Action

Routine Proceedings, pages 115–93

Measures Submitted: Two resolutions were submitted, as follows: S. Res. 5–6. **Page 183**

Measures Passed:

Majority Party Committee Appointments: Senate agreed to S. Res. 5, making majority party appointments to certain Senate committees for the 109th Congress. **Page 155**

Minority Party Committee Appointments: Senate agreed to S. Res. 6, making minority party appointments to certain Senate committees for the 109th Congress. **Page 156**

Tsunami Relief Contribution Tax Deductibility: Senate passed H.R. 241, to accelerate the income tax benefits for charitable cash contributions for the relief of victims of the Indian Ocean tsunami. **Pages 154, 173**

Adjournment Resolution: Senate agreed to H. Con. Res. 2, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate. **Page 185**

Objection to Presidential Electoral Vote Certificate From Ohio: By 1 yea to 74 nays (Vote No. 1), the objection to the Presidential electoral vote certificate from the State of Ohio was not sustained. **Page 157**

Messages from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to the Magnuson-Stevens Fishery Conservation and Management Act, an Agreement between the Government of the United States of America and the Government of the Russian Federation extending the agreement on Mutual Fisheries Relations of May 31, 1999; referred jointly, pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986; which was referred to the Committees on Foreign Relations; and Commerce, Science, and Transportation. (PM–1) **Page 179**

Nominations Received: Senate received the following nominations:

1 Navy nomination in the rank of admiral.

Routine lists in the Air Force, Army, Coast Guard, Marine Corps, Navy. **Page 185**

Messages From the House: **Page 179**

Executive Communications: **Page 180**

Executive Reports of Committees: **Page 183**

Additional Statements: **Page 177**

Authority for Committees to Meet: **Page 184**

Record Votes: One record vote was taken today. (Total—1) **Page 173**

Adjournment: Senate convened at 9:30 a.m., and, in accordance with the provisions of H. Con. Res. 2, adjourned at 5:20 p.m., until 3 p.m., on January 20, 2005. **Page 185**

Committee Meetings

NOMINATION

Committee on Agriculture, Nutrition, and Forestry: Committee ordered favorably reported the nomination of Mike Johanns, of Nebraska, to be Secretary of Agriculture.

Prior to this action, committee concluded hearings on the nomination of Mr. Johanns, after the nominee, who was introduced by Senators Hagel and Nelson (NE), testified and answered questions in his own behalf.

TSUNAMI RELIEF EFFORTS/IRAQ

Committee on Armed Services: on Wednesday, January 5, Committee met in closed session to receive a briefing on

U.S. Government tsunami relief efforts in the Indian Ocean region, on the situation in Iraq and Afghanistan, and on other significant military issues around the world from Peter W. Rodman, Assistant Secretary of Defense for International Security Affairs; Admiral Thomas B. Fargo, USN, Commander, U.S. Pacific Command; Lieutenant General James T. Conway, USMC, Director for Operations, J3, and Major General Ronald L. Burgess, Jr., USA, Director for Intelligence, J2, both of The Joint Staff; Evans J.R. Revere, Deputy Assistant Secretary of State for East Asian and Pacific Affairs; and Ronald L. Schlicher, Deputy Assistant Secretary of State for Iraq.

NOMINATION

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the nomination of Carlos M. Gutierrez, of Michigan, to be Secretary of Commerce.

Prior to this action, on Wednesday, January 5, Committee concluded a hearing on the nomination of Mr. Gutierrez, after the nominee, who was introduced by Senators Levin and Stabenow, testified and answered questions in his own behalf.

NOMINATION

Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported the nomination of Margaret Spellings, of Texas, to be Secretary of Education.

Prior to this action, committee concluded hearings on the nomination of Ms. Spellings, after the nominee, who was introduced by Senator Cornyn, testified and answered questions in her own behalf.

NOMINATION

Committee on the Judiciary: Committee concluded a hearing to examine the nomination of Alberto R. Gonzales, of Texas, to be Attorney General of the United States, after the nominee, who was introduced by Senators Cornyn and Salazar, testified and answered questions in his own behalf. Testimony was also received from Admiral John D. Hutson, USN (Ret.), Franklin Pierce Law Center, Concord, New Hampshire; Harold Hongju Koh, Yale Law School, New Haven, Connecticut; and Douglas A. Johnson, Center of Victims of Torture, Minneapolis, Minnesota.

House of Representatives

Chamber Action

Measures Introduced: 73 public bills, H.R. 19, 44, 50, 58, 91, 101–107, 130, 153–154, 163, 173, 189, 226–228, 232, 238–289; 2 private bills, H.R. 290–291; and; 20 resolutions, H.J. Res. 9, 14–18; H. Con. Res. 7–8, 10–13, and H. Res. 19, 32–38 were introduced. **Page 249**

Reports Filed: No reports were filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Simpson to act as Speaker Pro Tempore for today. **Page 194**

Committee Elections: The House agreed to H. Res. 32, electing the following Members of the Majority to serve on standing committees of the House of Representatives: Committee on Agriculture: Representative Goodlatte, Chairman. Committee on Appropriations: Representative Lewis (CA), Chairman; Representatives Young (FL), Regula, Rogers (KY), Wolf, Kolbe, Walsh, Taylor (NC), Hobson, Istook, Bonilla, Knollenberg, Kingston, Frelinghuysen, Wicker, Cunningham, Tiahrt, Wamp, Latham, Northup, Aderholt, Emerson, Granger, Peterson (PA), Goode, Doolittle, LaHood, Sweeney, Sherwood, Weldon (FL), Simpson, Culberson, Kirk, Crenshaw, Rehberg, Carter, and Alexander. Committee on Armed Services: Representative Hunter, Chairman. Committee on Budget: Representative Nussle, Chairman. Committee on Education and the Workforce: Representative Boehner, Chairman. Committee on Energy and Commerce: Representative Barton, Chairman; Representatives Hall, Bilirakis, Upton, Stearns, Gillmor, Deal, Whitfield, Cubin, Shimkus, Wilson (NM), Pickering, Fossella, Blunt, Buyer, Radanovich, Bass, Pitts, Bono, Walden, Terry, Ferguson, Mike Rogers (MI), Otter, Myrick, Sullivan, Murphy, Burgess, and Blackburn. Committee on Financial Services: Representative Oxley, Chairman. Committee on Government Reform: Representative Tom Davis (VA), Chairman. Committee on Homeland Security: Representative Cox, Chairman. Committee on House Administration: Representative Ney, Chairman. Committee on International Relations: Representative Hyde, Chairman. Committee on the Judiciary: Representative Sensenbrenner, Chairman. Committee on Resources: Representative Pombo, Chairman. Committee on Rules: Representative Gingrey. Committee on Science: Representative Boehlert, Chairman. Committee on Small Business: Representative Manzullo, Chairman. Committee on Transportation and Infrastructure: Representative Young (AL), Chairman. Committee on Veterans' Affairs: Representative Buyer, Chairman. Committee on Ways and Means: Representative Thomas, Chairman; Representatives Shaw, Johnson (CT), Herger, McCrery, Camp, Ramstad, Nussle, Johnson (TX), Portman, English, Hayworth, Weller, Hulshof, Lewis (KY), Foley, Brady, Reynolds, Ryan (WI), Cantor, Linder, Hart, Beauprez, and Chocola. **Page 194**

Committee Elections: The House agreed to H. Res. 33, electing the following Members of the Minority to serve on standing committees of the House of Representatives: Committee on Agriculture: Representative Peterson (MN). Committee on Appropriations: Representative

Obey. Committee on Armed Services: Representative Skelton. Committee on the Budget: Representative Spratt. Committee on Education and the Workforce: Representative George Miller of California. Committee on Energy and Commerce: Representative Dingell. Committee on Financial Services: Representative Frank (MA). Committee on Government Reform: Representative Waxman. Committee on Homeland Security: Representative Thompson (MS). Committee on International Relations: Representative Lantos. Committee on the Judiciary: Representative Conyers. Committee on Resources: Representative Rahall. Committee on Rules: Representative Slaughter. Committee on Science: Representative Gordon. Committee on Small Business: Representative Velázquez. Committee on Transportation and Infrastructure: Representative Oberstar. Committee on Veterans' Affairs: Representative Evans. Committee on Ways and Means: Representative Rangel. **Page 194**

Electoral College Vote Tellers: Pursuant to S. Con. Res. 1, to provide for the counting on January 6, 2005, of the electoral votes for President and Vice President of the United States, and the order of the House of January 4, 2005, the Chair announced the Speaker's appointment of Representatives Ney of Ohio and Larson of Connecticut as tellers on the part of the House to count electoral votes. **Page 196**

Permanent Select Committee on Intelligence Appointment: The Chair announced the Speaker's appointment of Representative Harman to the Permanent Select Committee on Intelligence. **Page 196**

Accelerating income tax benefits for charitable cash contributions for relief of the Indian Ocean tsunami: The House agreed to H.R. 241, to accelerate the income tax benefits for charitable cash contributions for the relief of victims of the Indian Ocean tsunami. **Page 196**

Recess: The House recessed at 11:21 a.m. and reconvened at 12:58 p.m. **Page 196**

Administration of the Oath of Office: Representative-elect Shadegg presented himself in the well of the House and was administered the oath of office by the Speaker. **Page 196**

Joint Session: The Joint Session was called to order at 1:05 p.m. and dissolved at 1:22 p.m. for consideration of the objection to the electoral votes for Ohio. Following consideration, the joint session resumed at 5:08 p.m. and dissolved at 5:18 p.m. **Page 197**

Declaration of the Election of President and Vice President: Pursuant to the provisions of S. Con. Res. 1, and the requirements of the Constitution and laws relating to the election of President and Vice President of the United States, the two Houses of Congress met in joint session with Vice President Cheney as the presiding officer to count the electoral votes. The following votes were cast for George W. Bush of Texas, 286; John F. Kerry of Massachusetts, 251; and John Edwards, 1. The following votes were cast for Vice President: Dick Cheney of Wyoming, 286; and John Edwards, 252. **Page 243**

During the joint session, a Representative objected to the certification of electoral votes from Ohio. The objection, having been signed by a Senator, was received and the joint meeting was dissolved for the purpose of considering the objection in each House. **Page 198**

The objection was not agreed to in the House by a yea and nay vote of 31 yeas to 267 nays, Roll No. 7. Subsequently notification was received in the House that the Senate disposed of the objection by a vote of 1 aye to 74 nays. Upon resumption of the joint session, the Vice President announced that the original certification submitted by the State of Ohio would stand as regular in form and authentic. **Page 241**

Administration of Oath of Office: Representative-elect Norwood presented himself in the well of the House and was administered the Oath of Office by the Speaker. **Page 242**

Funeral of the late Honorable Robert T. Matsui: The Chair announced the Speaker's appointment of the following members of the House to the Committee to attend the funeral of the late Honorable Robert T. Matsui: Representatives Stark, Pelosi, George Miller (CA), Waxman, Lewis (CA), Thomas, Dreier, Hunter, Lantos, Berman, Gallegly, Herger, Cox, Rohrabacher, Cunningham, Doolittle, Waters, Becerra, Calvert, Eshoo, Filner, McKeon, Pombo, Roybal-Allard, Royce, Woolsey, Farr, Lofgren, Radanovich, Millender-McDonald, Sherman, Loretta Sanchez (CA), Tauscher, Capps, Bono, Lee, Gary Miller (CA) Napolitano, Thompson (CA), Baca, Harman, Davis (CA), Honda, Issa, Schiff, Solis, Watson, Cardoza, Nunes, Linda T. Sánchez (CA), Lungren, Costa, Rangel, Oberstar, Markey, Kildee, Levin, Pomeroy, Jackson-Lee (TX), Hinojosa, Kucinich, Holt, and McCollum. **Page 243**

Presidential Message: Read a message from the President wherein he transmitted notification of the extension of the Mutual Fisheries Agreement between the United States and the Russian Federation—referred to the Committee on Resources and ordered printed (House Doc. 109–5). **Page 244**

Senate Message: Messages received from the Senate today appear on page 244.

Quorum Calls—Votes: 1 yea and nay vote developed during the proceedings today and appear on page 241. There were no quorum calls.

Adjournment: The House met at 11 a.m. and at 5:42 p.m. pursuant to the provisions of H. Con. Res. 2, it stands adjourned until 10 a.m. on Thursday, January 20.

Committee Meetings

No committee meetings were held.

Thursday, January 20, 2005

Senate

Chamber Action

Routine Proceedings, pages 269–99

Nomination—Agreement: A unanimous-consent-time agreement was reached providing for consideration of the nomination of Carlos M. Gutierrez, of Michigan, to be Secretary of Commerce at 3 p.m., on Monday, January 24, 2005, with a vote on confirmation of the nomination to occur following 2 hours of debate. **Page 269**

Nomination—Agreement: A unanimous-consent-time agreement was reached providing for consideration of the nomination of Condoleezza Rice, of California, to be Secretary of State at a time to be announced on Tuesday, January 25, 2005, with 9 hours for debate; following which, when the Senate resumes consideration of the nomination on Wednesday, January 26, 2005, a vote on confirmation of the nomination will occur following 40 additional minutes for closing remarks. **Page 269**

Nominations—Agreement: A unanimous-consent agreement was reached providing that nominations to the Office of Inspector General, except the Office of Inspector General of the Central Intelligence Agency, be referred in each case to the committee having primary jurisdiction over the department, agency, or entity, and if and when reported in each case, then to the Committee on Homeland Security and Governmental Affairs for not to exceed 20 calendar days, except in cases when the 20-day period expires while the Senate is in recess, the committee shall have 5 additional calendar days after the Senate reconvenes to report the nomination, and that if the nomination is not reported after the expiration of that period, the nomination be automatically discharged and placed on the Executive Calendar. **Page 298**

Inaugural Ceremony—Agreement: A unanimous-consent agreement was reached providing that the proceedings from today's inaugural ceremony be printed in today's Congressional Record. **Page 295**

Appointments:

Senate National Security Working Group: The Chair announced, on behalf of the Majority Leader, pursuant to the provisions of S. Res. 105 (adopted April 13, 1989), as amended by S. Res. 149 (adopted October 5, 1993), as amended by Public Law 105–275, further amended by S. Res. 75 (adopted March 25, 1999), and S. Res. 383 (adopted October 27, 2000), the appointment of the following Senator to serve as a member of the Senate National Security Working Group for the 109th Congress: Senator Frist. **Page 298**

Commission on Security and Cooperation in Europe (Helsinki): The Chair, on behalf of the Vice President, pursuant to Public Law 94–304, as amended by Public Law 99–7, appointed the following Senator as Chairman of the Commission on Security and Cooperation in Europe (Helsinki) during the 109th Congress: Senator Brownback. **Page 298**

Nominations Confirmed: Senate confirmed the following nominations:

Mike Johanns, of Nebraska, to be Secretary of Agriculture.

Margaret Spellings, of Texas, to be Secretary of Education. **Pages 270, 278, 299**

Messages From the House: **Page 295**

Executive Reports of Committees: **Page 295**

Additional Statements: **Page 293**

Adjournment: Senate convened at 3 p.m, and adjourned at 5:09 p.m., until 2 p.m., on Monday, January 24, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 298.)

Committee Meetings

NOMINATION

Committee on Energy and Natural Resources: On Wednesday, January 19, Committee concluded a hearing on the nomination of Samuel W. Bodman, of Massachusetts, to be Secretary of Energy, after the nominee testified and answered questions in his own behalf.

NOMINATION

Committee on Finance: On Wednesday, January 19, Committee concluded a hearing on the nomination of Michael O. Leavitt, of Utah, to be Secretary of Health and Human Services, after the nominee testified and answered questions in his own behalf.

NOMINATION

Committee on Foreign Relations: On Wednesday, January 19, committee concluded hearings and ordered favorably reported the nomination of Condoleezza Rice, of California, to be Secretary of State.

On Tuesday, January 18, Committee began hearings on the nomination of Condoleezza Rice, after the nominee, who was introduced by Senator Feinstein, testified and answered questions in her own behalf.

NOMINATION

Committee on Health, Education, Labor, and Pensions: On Tuesday, January 18, Committee concluded a hearing on the nomination of Michael O. Leavitt, of Utah, to be Secretary of Health and Human Services, after the nominee testified and answered questions in his own behalf.

ASBESTOS CLAIMS RESOLUTION

Committee on the Judiciary: On Tuesday, January 11, Committee concluded a hearing to examine proposed legislation to create a fair and efficient system to resolve claims of victims for bodily injury caused by asbestos exposure, after receiving testimony from Judge Edward Becker, Third Circuit Court of Appeals, Philadelphia, Pennsylvania; John Engler, National Association of Manufacturers, Margaret Seminario, Department of Occupational Safety and Health, AFL–CIO, Craig Berrington, American Insurance Association, Michael Forscey, American Trial Lawyers Association, and Jeffrey D. Robinson, Baach, Robinson & Lewis, all of Washington, DC; Mary Lou Keener, McLean, Virginia; and Billie Joe Speicher, Ontario, Canada.

BUSINESS MEETING

Committee on the Judiciary: On Wednesday, January 19, Committee began consideration of the nomination of Alberto R. Gonzales, of Texas, to be Attorney General, Department of Justice, but did not complete action thereon, and will meet again on Wednesday, January 26.

House of Representatives

Chamber Action

Measures Introduced: 3 public bills, H.R. 292–294; 1 private bill, H.R. 295; and; 1 resolution, H. Con. Res. 19 were introduced. **Page 268**

Additional Cosponsors: **Page 268**

Reports Filed: Reports were filed today as follows:

Report on the Activities of the House Committee on Government Reform for the 108th Congress (H. Rept. 108–815);

Report on the Activities of the Committee on House Administration during the 108th Congress (H. Rept. 108–816);

Summary of Activities of the Committee on Science for the 108th Congress (H. Rept. 108–817); and

Activities and Summary Report of the Committee on Budget, 108th Congress (H. Rept. 108–818). **Page 268**

Speaker: Read a letter from the Speaker wherein he appointed Representative Simpson to act as Speaker Pro Tempore for today. **Page 266**

Joint Economic Committee Appointment: The Chair announced the Speaker's appointment of Representative Saxton to the Joint Economic Committee. **Page 266**

Public Interest Declassification Board appointment: Read a letter from the Minority Leader wherein she appointed David Skaggs of Colorado to the Public Interest Declassification Board for an initial 2-year term. **Page 266**

Order of Members to act as Speaker Pro Tempore: The Chair announced that on January 19, 2005, the Speaker delivered a letter to the Clerk listing Members in the order in which each shall act as Speaker pro tempore under clause 8(b)(3) of rule 1. **Page 266**

Succession of the Speaker of the House: Read a letter from the Speaker wherein he designated Representative DeLay to act jointly with the Majority Leader of the Senate or his designee in the event of the death or inability of the Speaker, to notify Members of the House and Senate of any reassembly. **Page 266**

Recess: The House recessed at 10:08 a.m. and reconvened at 10:20 a.m. **Page 267**

Inauguration Ceremonies: Pursuant to H. Res. 9, the House proceeded in a body led by the Dean of the House of Representatives, Representative John Dingell, to the Inauguration Ceremony for President George Walker Bush and Vice President Richard Bruce Cheney. Upon completion of the ceremony, the House adjourned until 2 p.m. on Tuesday, January 25. **Page 267**

Quorum Calls—Votes: There were no votes or quorum calls.

Adjournment: The House met at 10 a.m. and at 12:33 p.m. pursuant to the provisions of H. Res 9, it stands adjourned until 2 p.m. on Tuesday, January 25.

Committee Meetings

No committee meetings were held.

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Monday, January 24, 2005

Senate

Chamber Action

Routine Proceedings, pages 304–592

Measures Introduced: One hundred thirty-two bills and six resolutions were introduced, as follows: S. 3, 6–9, 11–20, 24–25, 27, 29, 31–38, 40–144, S.J. Res. 1–2, S. Res. 7–9, and S. Con. Res. 3. **Page 339**

Measures Passed:

Honoring Howard S. Liebengood: Senate agreed to S. Res. 7, relating to the death of Howard S. Liebengood, former Sergeant at Arms of the Senate. **Page 304**

Nomination—Agreement: A unanimous-consent-time agreement was reached providing for consideration of the nomination of Condoleezza Rice, of California, to be Secretary of State at 10:45 a.m., on Tuesday, January 25, 2005, with nine hours for debate.

Nominations Confirmed: Senate confirmed the following nomination:

Carlos M. Gutierrez, of Michigan, to be Secretary of Commerce. **Pages 313, 592**

Nominations Received: Senate received the following nominations:

Thomas C. Dorr, of Iowa, to be Under Secretary of Agriculture for Rural Development.

Thomas C. Dorr, of Iowa, to be a Member of the Board of Directors of the Commodity Credit Corporation.

Peter Cyril Wyche Flory, of Virginia, to be an Assistant Secretary of Defense.

John Paul Woodley, Jr., of Virginia, to be an Assistant Secretary of the Army.

Buddie J. Penn, of Virginia, to be an Assistant Secretary of the Navy.

Andrew J. McKenna, Jr., of Illinois, to be a Member of the National Security Education Board for a term of four years.

George M. Dennison, of Montana, to be a Member of the National Security Education Board for a term of four years.

James William Carr, of Arkansas, to be a Member of the National Security Education Board for a term of four years.

Pamela Hughes Patenaude, of New Hampshire, to be an Assistant Secretary of Housing and Urban Development.

Ronald Rosenfeld, of Oklahoma, to be a Director of the Federal Housing Finance Board for the remainder of the term expiring February 27, 2009.

William Hardiman, of Michigan, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2006.

Floyd Hall, of New Jersey, to be a Member of the Reform Board (Amtrak) for a term of five years.

Enrique J. Sosa, of Florida, to be a Member of the Reform Board (Amtrak) for a term of five years.

Thomas V. Skinner, of Illinois, to be an Assistant Administrator of the Environmental Protection Agency.

Luis Luna, of Maryland, to be an Assistant Administrator of the Environmental Protection Agency.

Major General Don T. Riley, United States Army, to be a Member and President of the Mississippi River Commission.

D. Michael Rappoport, of Arizona, to be a Member of the Board of Trustees of the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation for a term expiring October 6, 2008.

Michael Butler, of Tennessee, to be a Member of the Board of Trustees of the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation for a term expiring October 6, 2008.

Raymond Thomas Wagner, Jr., of Missouri, to be a Member of the Internal Revenue Service Oversight Board for a term expiring September 14, 2009.

Harold Damelin, of Virginia, to be Inspector General, Department of the Treasury.

Daniel R. Levinson, of Maryland, to be Inspector General, Department of Health and Human Services.

Howard J. Krongard, of New Jersey, to be Inspector General, Department of State.

Nadine Hogan, of Florida, to be a Member of the Board of Directors of the Inter-American Foundation for a term expiring June 26, 2008.

Kenneth Y. Tomlinson, of Virginia, to be Chairman of the Broadcasting Board of Governors.

D. Jeffrey Hirschberg, of Wisconsin, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2007.

Kenneth Y. Tomlinson, of Virginia, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2007.

Jorge A. Plasencia, of Florida, to be a Member of the Advisory Board for Cuba Broadcasting for a term expiring October 27, 2006.

Roger W. Wallace, of Texas, to be a Member of the Board of Directors of the Inter-American Foundation for a term expiring October 6, 2008.

Jack Vaughn, of Texas, to be a Member of the Board of Directors of the Inter-American Foundation for a term expiring September 20, 2006.

Jay T. Snyder, of New York, to be a Member of the United States Advisory Commission on Public Diplomacy for a term expiring July 1, 2007.

David B. Balton, of the District of Columbia, for the rank of Ambassador during his tenure of service as Deputy Assistant Secretary of State for Oceans and Fisheries.

Joseph R. DeTrani, of Virginia, for the rank of Ambassador during his tenure of service as Special Envoy for the Six Party Talks.

John Thomas Schieffer, of Texas, to be Ambassador to Japan.

Craig T. Ramey, of West Virginia, to be a Member of the Board of Directors of the National Board for Education Sciences for a term of two years.

A. Wilson Greene, of Virginia, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2009.

Harry Robinson, Jr., of Texas, to be a Member of the National Museum Services Board for a term expiring December 6, 2008.

Katina P. Strauch, of South Carolina, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2009.

Thomas A. Fuentes, of California, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2005.

Bernice Phillips, of New York, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2005.

George Perdue, of Georgia, to be a Member of the Board of Trustees of the James Madison Memorial Fellowship Foundation for a term expiring November 5, 2006.

Ronald E. Meisburg, of Virginia, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2008.

Kiron Kanina Skinner, of Pennsylvania, to be a Member of the National Security Education Board for a term of four years.

Charles P. Ruch, of South Dakota, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring August 11, 2010.

Edward L. Flippen, of Virginia, to be Inspector General, Corporation for National and Community Services.

Brian David Miller, of Virginia, to be Inspector General, General Services Administration.

Allen Weinstein, of Maryland, to be Archivist of the United States.

Carolyn L. Gallagher, of Texas, to be a Governor of the United States Postal Service for the remainder of the term expiring December 8, 2009.

Louis J. Giuliano, of New York, to be a Governor of the United States Postal Service for a term expiring December 8, 2005.

Tony Hammond, of Virginia, to be a Commissioner of the Postal Rate Commission for a term expiring October 14, 2010.

Louis J. Giuliano, of New York, to be a Governor of the United States Postal Service for a term expiring December 8, 2014.

Stephen Thomas Conboy, of Virginia, to be United States Marshal for the Superior Court of the District of Columbia for the term of four years.

David B. Rivkin, Jr., of Virginia, to be a Member of the Foreign Claims Settlement Commission of the United States for the term expiring September 30, 2007.

Routine lists in the Foreign Service. **Page 591**

Executive Reports of Committees: **Page 339**

Statements on Introduced Bills/Resolutions: **Page 343**

Additional Statements: **Page 337**

Notices of Hearings/Meetings: **Page 590**

Authority for Committees to Meet: **Page 591**

Adjournment: Senate convened at 2:01 p.m., and as a further mark of respect to the memory of the late Howard S. Liebengood, former Sergeant at Arms of the Senate, adjourned at 7:16 p.m., until 9:45 a.m., on Tuesday, January 25, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 591.)

Committee Meetings

BUSINESS MEETING

Committee on Veterans' Affairs: Committee ordered favorably reported the nomination of Jim Nicholson, of Colorado, to be Secretary of Veterans Affairs. Prior to this action, committee concluded a hearing to examine the nomination of Jim Nicholson, of Colorado, to be Secretary of Veterans Affairs, after the nominee, who was introduced by Senators Allard and Salazar, testified and answered questions in his own behalf.

House of Representatives

Chamber Action

The House was not in session today.

Committee Meetings

No committee meetings were held.

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Tuesday, January 25, 2005

Senate

Chamber Action

Routine Proceedings, pages 594–718

Measures Introduced: Twenty-six bills and five resolutions were introduced, as follows: S. 5, 21, 39, 145–167, S. Res. 10–12, and S. Con. Res. 4–5. **Page 658**

Measures Passed:

Honoring Johnny Carson: Senate agreed to S. Res. 10, honoring the life of Johnny Carson. **Page 716**

Honoring Rev. Lloyd Ogilvie: Senate agreed to S. Res. 11, honoring the service of Reverend Lloyd Ogilvie. **Page 717**

Commending USC Trojans Football Team: Senate agreed to S. Res. 12, commending the University of Southern California Trojans football team for winning the 2004 Bowl Championship Series championship game. **Page 717**

Nomination: Senate began consideration of the nomination of Condoleezza Rice, of California, to be Secretary of State.

A unanimous-consent agreement was reached providing for further consideration of the nomination at 10:30 a.m., on Wednesday, January 26, 2005, with a vote on confirmation of the nomination to occur following 60 minutes for closing remarks. **Pages 599, 718**

Nomination—Agreement: A unanimous-consent agreement was reached providing for consideration of the nomination of Jim Nicholson, of Colorado, to be Secretary of Veterans Affairs, following the vote on the nomination of Condoleezza Rice, with 30 minutes of debate equally divided, followed by a vote on confirmation of the nomination. **Page 718**

Nomination—Agreement: A unanimous-consent agreement was reached providing for consideration of the nomination of Michael O. Leavitt, of Utah, to be Secretary of Health and Human Services, following the vote on the nomination of Jim Nicholson, with 2 hours of debate equally divided, followed by a vote on confirmation of the nomination. **Page 718**

Appointments:

Joint Committee on Taxation: The Chair announced on behalf of the Committee on Finance, pursuant to section 8002 of title 26, U.S. Code, the designation of the following Senators as members of the Joint Committee on Taxation: Senators Grassley, Hatch, Lott, Baucus, and Rockefeller. **Page 718**

Executive Communications: **Page 654**

Executive Reports of Committees: **Page 658**

Additional Cosponsors: **Page 659**

Statements on Introduced Bills/Resolutions: **Page 659**

Additional Statements: **Page 652**

Notices of Hearings/Meetings: **Page 716**

Authority for Committees to Meet: **Page 716**

Privilege of the Floor: **Page 716**

Adjournment: Senate convened at 9:45 a.m, and adjourned at 7:52 p.m., until 9:30 a.m., on Wednesday, January 26, 2005. (For Senate's program, see the remarks of Acting Majority Leader in today's Record on page 718.)

Committee Meetings

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the following business items:

An original resolution authorizing expenditures by the Committee; and,

The nomination of Michael O. Leavitt, of Utah, to be Secretary of Health and Human Services.

Also, Committee adopted its rules of procedure for the 109th Congress, and announced the following subcommittee assignments:

Subcommittee on Health Care: Senators Hatch (Chair), Snowe, Frist, Kyl, Thomas, Santorum, Bunning, Rockefeller, Jeffords, Bingaman, Kerry, and Wyden.

Subcommittee on International Trade: Senators Thomas (Chair), Crapo, Lott, Smith, Bunning, Hatch, Snowe, Frist, Bingaman, Baucus, Rockefeller, Conrad, Wyden, and Schumer.

Subcommittee on Social Security and Family Policy: Senators Santorum (Chair), Grassley, Bunning, Frist, Lott, Kyl, Smith, Crapo, Conrad, Rockefeller, Jeffords, Bingaman, Kerry, and Lincoln.

Subcommittee on Taxation and I.R.S. Oversight: Senators Kyl (Chair), Lott, Hatch, Snowe, Crapo, Thomas, Santorum, Jeffords, Baucus, Conrad, Lincoln, and Schumer.

Subcommittee on Long-Term Growth and Debt Reduction: Senators Smith (Chair), Grassley, and Kerry.

Also, Committee appointed the following members to the Joint Committee on Taxation, the Congressional Trade Advisors on Trade Policy and Negotiations, and the Congressional Oversight Group: Senators Grassley, Hatch, Lott, Baucus, and Rockefeller.

House of Representatives

Chamber Action

Measures Introduced: 70 public bills, H.R. 296–365; and; 19 resolutions, H.J. Res. 10–11; H. Con. Res. 20–27, and H. Res. 39–47 were introduced. **Page 771**

Additional Cosponsors: **Page 775**

Reports Filed: Reports were filed today as follows:

H. Res. 42, resolution providing for consideration of H.R. 54, to amend title 31, United States Code, to provide reasonable standards for congressional gold medals (H. Rept. 109–1). **Page 771**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Congratulating the people of Ukraine on their democratic presidential election: H. Con. Res. 16, amended, congratulating the people of Ukraine for conducting a democratic, transparent, and fair runoff presidential election on December 26, 2004, and congratulating Viktor Yushchenko on his election as President of Ukraine and his commitment to democracy and reform, by a ⅔ yea-and-nay vote of 392 yeas to 1 nay, Roll No. 8; and **Pages 720, 748**

Commending countries and organizations for marking the 60th anniversary of the liberation of Auschwitz: H. Res. 39, commending countries and organizations for marking the 60th anniversary of the liberation of Auschwitz and urging a strengthening of the fight against racism, intolerance, bigotry, prejudice, discrimination, and anti-Semitism, by a ⅔ yea-and-nay vote of 393 yeas with none voting "nay", Roll No. 9. **Pages 725, 749**

Recess: The House recessed at 3:26 p.m. and reconvened at 6:33 p.m. **Page 748**

State of the Union message: The House agreed to H. Con. Res. 20, providing for a joint session of Congress to receive a message from the President on the state of the Union on Wednesday, February 2, 2005 at 9 p.m. **Page 746**

District Work Period: The House agreed to H. Con. Res. 21, providing for conditional adjournment of the House and conditional recess or adjournment of the Senate. **Page 748**

Administration of the Oath of Office: Representatives-elect Honda, Osborne, Gutierrez, and Cannon presented themselves in the well of the chamber and was administered the Oath of Office by the Speaker. **Page 749**

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings today and appear on pages 748–50. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 9:15 p.m.

Committee Meetings

CONGRESSIONAL GOLD MEDAL ENHANCEMENT ACT OF 2005

Committee on Rules: Granted, by voice vote, a structured rule providing one hour of general debate on H.R. 54, Congressional Gold Medal Enhancement Act, in the House equally divided and controlled by the chairman and ranking minority member of the Committee on Financial Services. The rule provides that the bill shall be considered as read for amendment. The rule makes in order only those amendments printed in the Rules Committee report accompanying this resolution. The rule provides that the amendments made in order may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule waives all points or order against the amendments printed in the report. The rule provides one motion to recommit with or without instructions. Section 2 of the rule provides that notwithstanding clause 11(a)(1) of rule XI, during the One Hundred Ninth Congress the Permanent Select Committee on Intelligence shall be composed of not more than 19 members, of whom not more than 11 may be from the same party. Testimony was heard from Chairman Oxley.

Prior to this action the Committee met for organizational purposes.

Wednesday, January 26, 2005

Senate

Chamber Action

Routine Proceedings, pages 844–954

Measures Introduced: Thirty-three bills and eleven resolutions were introduced, as follows: S. 168–200, S. Res. 13–21, and S. Con. Res. 6–7. **Page 911**

Measures Reported:

S. Res. 13, authorizing expenditures by the Committee on Energy and Natural Resources.

S. Res. 14, authorizing expenditures by the Committee on Agriculture, Nutrition, and Forestry.

S. Res. 15, authorizing expenditures by the Committee on Banking, Housing, and Urban Affairs.

S. Res. 16, authorizing expenditures by the Committee on Homeland Security and Governmental Affairs.

S. Res. 17, authorizing expenditures by the Committee on Environment and Public Works.

S. Res. 19, authorizing expenditures by the Senate Committee on Indian Affairs.

S. Res. 21, authorizing expenditures by the Committee on Small Business and Entrepreneurship. **Page 911**

Measures Passed:

Auschwitz Anniversary: Senate agreed to S. Res. 18, commemorating the 60th anniversary of the liberation of the Auschwitz extermination camp in Poland. **Page 889**

Adjournment Resolution: Senate agreed to H. Con. Res. 21, providing for an adjournment or recess of the two Houses. **Page 952**

Ukraine Presidential Election: Senate agreed to S. Con. Res. 7, congratulating the people of Ukraine for conducting a democratic transparent and fair runoff presidential election on December 26, 2004, and congratulating Viktor Yushchenko on his election as President of Ukraine and his commitment to democracy and reform. **Page 653**

Nominations Confirmed: Senate confirmed the following nominations:

By 85 yeas 13 nays (Vote No. Ex. 2), Condoleezza Rice, of California, to be Secretary of State. **Pages 850, 954**

Michael O. Leavitt, of Utah, to be Secretary of Health and Human Services. **Pages 869, 954**

Jim Nicholson, of Colorado, to be Secretary of Veterans Affairs. **Pages 865, 954**

Messages From the House: **Page 905**

Measures Referred: **Page 905**

Executive Communications: **Page 905**

Executive Reports of Committees: **Page 911**

Additional Cosponsors: Page 913

Statements on Introduced Bills/Resolutions: Page 916

Additional Statements: Page 905

Notices of Hearings/Meetings: Page 951

Authority for Committees to Meet: Page 952

Privilege of the Floor: Page 952

Record Votes: One record vote was taken today. (Total—2) Page 865

Adjournment: Senate convened at 9:30 a.m, and pursuant to the provisions of H. Con. Res. 21, adjourned at 5:30 p.m., until 1 p.m., on Monday, January 31, 2005. (For Senate's program, see the remarks of Acting Majority Leader in today's Record on page 954.)

Committee Meetings

BUSINESS MEETING

Committee on Agriculture, Nutrition, and Forestry: Committee ordered favorably reported an original resolution (S. Res. 14) authorizing expenditures by the Committee, and adopted its rules of procedure for the 109th Congress.

CURRENT MILITARY OPERATIONS

Committee on Armed Services: Committee met in closed session to receive a briefing regarding current military operations in Iraq and Afghanistan from Donald H. Rumsfeld, Secretary of Defense; and General John P. Abizaid, USA, Commander, United States Central Command.

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported an original resolution (S. Res. 15) authorizing expenditures by the committee.

Also, committee adopted its rules of procedure for the 109th Congress, and announced the following subcommittee assignments:

Subcommittee on Financial Institutions: Senators Bennett (Chairman), Allard, Santorum, Sununu, Martinez, Hagel, Bunning, Crapo, Johnson, Carper, Dodd, Reed, Stabenow, and Bayh.

Subcommittee on Housing and Transportation: Senators Allard (Chairman), Santorum, Dole, Enzi, Bennett, Martinez, Shelby, Reed, Stabenow, Corzine, Dodd, Carper and Schumer.

Subcommittee on Securities and Investment: Senators Hagel (Chairman), Enzi, Sununu, Martinez, Bennett, Bunning, Crapo, Dole, Allard, Santorum, Dodd, Johnson, Reed, Schumer, Bayh, Stabenow, Corzine, and Carper.

Subcommittee on International Trade and Finance: Senators Crapo (Chairman), Hagel, Enzi, Sununu, Dole, Bayh, Johnson, and Corzine.

Subcommittee on Economic Policy: Senators Bunning (Chairman), Shelby, and Schumer.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported the following business items:

Samuel W. Bodman, of Massachusetts, to be Secretary of Energy; and

An original resolution (S. Res. 13) authorizing expenditures by the committee.

Also, committee announced the following subcommittee assignments:

Subcommittee on Energy: Senators Alexander (Chairman), Burr, Martinez, Talent, Allen, Bunning, Murkowski, Craig, Thomas, Burns, Dorgan, Akaka, Johnson, Landrieu, Feinstein, Cantwell, Corzine, and Salazar.

Subcommittee on Public Lands and Forests: Senators Craig (Chairman), Burns, Thomas, Talent, Smith, Alexander, Murkowski, Allen, Wyden, Akaka, Dorgan, Johnson, Landrieu, Feinstein, and Cantwell.

Subcommittee on National Parks: Senators Thomas (Chairman), Alexander, Allen, Burr, Martinez, Smith, Akaka, Wyden, Landrieu, Corzine, and Salazar.

Subcommittee on Water and Power: Senators Murkowski (Chairman), Smith, Craig, Burr, Martinez, Burns, Bunning, Talent, Johnson, Dorgan, Wyden, Feinstein, Cantwell, Corzine, and Salazar.

BUSINESS MEETING

Committee on Environment and Public Works: Committee ordered favorably reported an original resolution (S. Res. 17) authorizing expenditures by the committee.

Also, committee adopted its rules of procedure for the 109th Congress, and announced the following subcommittee assignments:

Subcommittee on Transportation and Infrastructure: Senators Bond (Chairman), Warner, Voinovich, Chafee, Murkowski, Thune, Baucus, Lieberman, Boxer, Carper, and Clinton.

Subcommittee on Clean Air, Climate Change, and Nuclear Safety: Senators Voinovich (Chairman), Bond, DeMint, Isakson, Vitter, Carper, Lieberman, Lautenberg, and Obama.

Subcommittee on Fisheries, Wildlife, and Water: Senators Chafee (Chairman), Warner, Murkowski, DeMint, Vitter, Clinton, Lieberman, Lautenberg, and Obama.

Subcommittee on Superfund and Waste Management: Senators Thune (Chairman), Isakson, Warner, Bond, Boxer, Baucus, and Lautenberg.

MULTI-EMISSIONS LEGISLATION

Committee on Environment and Public Works: Subcommittee on Clean Air, Climate Change, and Nuclear Safety concluded a hearing to examine the need for multi-emissions legislation, focusing on the Clean Air Act, National Ambient Air Quality Standards, and the Clear Skies Act, after receiving testimony from Indiana State Senator Beverly Gard, Indianapolis; Mayor Bob Young, Augusta, Georgia, on behalf of the U.S. Conference of Mayors;

John A. Paul, Regional Air Pollution Control Agency, Dayton, Ohio, on the behalf of State and Territorial Air Pollution Program Administrators and Association of Local Air Pollution Control Officials; Ronald R. Harper, Basin Electric Power Cooperative, Bismarck, North Dakota; Conrad G. Schneider, Clean Air Task Force, Boston, Massachusetts; and Fred Parady, OCI Wyoming, L.P., Green River, on behalf of the National Association of Manufacturers.

DEPARTMENT OF HOMELAND SECURITY

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the Department of Homeland Security, focusing on management challenges related to border security, transportation security, integration, intelligence, and preparedness, after receiving testimony from Richard L. Skinner, Acting Inspector General, Department of Homeland Security; James Jay Carafano, The Heritage Foundation, and Richard A. Falkenrath, The Brookings Institution, both of Washington, D.C.; Michael A. Wermuth, RAND Corporation, Arlington, Virginia; and Stephen E. Flynn, Council on Foreign Relations, New York, New York.

BUSINESS MEETING

Committee on Homeland Security and Governmental Affairs: Committee ordered favorably reported an original resolution (S. Res. 16) authorizing expenditures by the Committee.

BUSINESS MEETING

Committee on Indian Affairs: Committee ordered favorably reported an original resolution (S. Res. 19) authorizing expenditures by the committee, and agreed to continue the protocol used in the 108th Congress for the release of information obtained by subpoena in the ongoing Indian lobbying investigation.

Also, committee elected Senator McCain as the Chairman and Senator Dorgan as Vice Chairman, and adopted its rules of procedure for the 109th Congress.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the nomination of Alberto R. Gonzales, of Texas, to be Attorney General, Department of Justice.

BUSINESS MEETING

Committee on Small Business and Entrepreneurship: Committee ordered favorably reported an original resolution (S. Res. 21) authorizing expenditures by the Committee.

INTELLIGENCE

Select Committee on Intelligence: Committee ordered favorably reported an original resolution authorizing expenditures by the committee, and approved the committee's rules of procedure for the 109th Congress.

Also, committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

INTERNET PHARMACY AND DRUG IMPORTATION

Special Committee on Aging: Committee concluded a hearing to examine the risks and benefits associated with Internet pharmacies, focusing on the importation of prescription drugs into the United States, and reducing the costs of prescription drugs, after receiving testimony from Richard H. Carmona, Surgeon General, U.S. Public Health Service, Department of Health and Human Services; Jeff Kimmell, drugstore.com, Bellevue, Washington; Gary A. Schnabel, Oregon State Board of Pharmacy, Portland; Mary Jorgensen, Coalition of Wisconsin Aging Groups, Madison; and Roger Pilon, CATO Institute, Washington, D.C.

House of Representatives

Chamber Action

Measures Introduced: 65 public bills, H.R. 366–430; 2 private bills, H.R. 431–432; and; 19 resolutions, H.J. Res. 12–14; H. Con. Res. 28–35, and H. Res. 48–55 were introduced. **Page 839**

Additional Cosponsors: **Page 843**

Reports Filed: No reports were filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative LaHood to act as Speaker Pro Tempore for today. **Page 804**

Committee Elections: The House agreed to H. Res. 48, electing the following members to the following standing committees:

Committee on Agriculture: Representatives Boehner, Pombo, Everett, Lucas (OK), Moran (KS), Jenkins, Gutknecht, Hayes, Johnson (IL), Osborne, Pence, Graves, Bonner, Rogers (AL), King (IA), Musgrave, Nunes, Neugebauer, Boustany, Schwarz (MI), Kuhl, Foxx, Conaway, and Fortenberry. **Page 804**

Committee on Armed Services: Representatives Weldon (PA), Hefley, Saxton, McHugh, Everett, Bartlett, McKeon, Thornberry, Hostettler, Jones (NC), Ryun (KS), Gibbons, Hayes, Calvert, Simmons, JoAnn Davis (VA), Akin, Forbes, Miller (FL), Wilson (SC), LoBiondo, Bradley (NH), Turner (OH), Kline, Miller (MI), Rogers (AL), Franks (AZ), Shuster, Drake, Schwarz (MI), McMorris, Conaway, and Davis (KY). **Page 804**

Committee on the Budget: Representatives Portman, Ryun (KS), Putnam, Hulshof, Bonner, Garrett, Barrett (SC), McCotter, Mario Diaz-Balart (FL), Hensarling, Lungren, Sessions, Ryan (WI), Bradley, McHenry, Mack, and Conaway. **Page 804**

Committee on Education and the Workforce: Representatives Petri, McKeon, Castle, Sam Johnson (TX), Norwood, Ehlers, Biggert, Platts, Tiberi, Keller, Osborne, Wilson (SC), Porter, Kline, Musgrave, Inglis (SC), McMorris, Marchant, Price (GA), Fortuño, Jindal, Boustany, Foxx, Drake, and Kuhl. **Page 804**

Committee on Energy and Commerce: Representative Norwood to rank after Representative Whitfield and Representative Shadegg to rank after Representative Wilson (NM). **Page 805**

Committee on Financial Services: Representatives Leach, Baker, Pryce, Bachus, Castle, King (NY), Royce, Lucas (OK), Ney, Kelly, Paul, Gillmor, Ryun (KS), LaTourette, Manzullo, Jones (NC), Biggert, Shays, Fossella, Gary Miller (CA), Tiberi, Kennedy (MN), Feeney, Hensarling, Garrett (NJ), Brown-Waite (FL), Barrett (SC), Harris, Renzi, Gerlach, Neugebauer, Price (GA), Fitzpatrick (PA), Davis (KY), and McHenry. **Page 805**

Committee on Government Reform: Representatives Burton, Shays, Ros-Lehtinen, McHugh, Mica, Gutknecht, Souder, LaTourette, Platts, Cannon, Duncan, Miller (MI), Turner (OH), Harris, Issa, Brown-Waite (FL), Porter, Marchant, Westmoreland, McHenry, Dent, and Foxx. **Page 805**

Committee on Homeland Security: Representatives Lungren, Jindal, Reichert, McCaul, and Dent. **Page 805**

Committee on House Administration: Representatives Ehlers, Mica, Doolittle, Reynolds, and Miller (MI). **Page 805**

Committee on International Relations: Representatives Leach, Smith (NJ), Burton (IN), Gallegly, Ros-Lehtinen, Rohrabacher, Royce, King (NY), Chabot, McHugh, Tancredo, Paul, Issa, Flake, JoAnn Davis (VA), Green (WI), Weller, Pence, McCotter, Harris, Wilson (SC), Boozman, Mack, Fortenberry, McCaul, and Poe. **Page 805**

Committee on Judiciary: Representatives Hyde, Coble, Smith (TX), Gallegly, Goodlatte, Chabot, Lungren, Jenkins, Cannon, Bachus, Inglis (SC), Hostettler, Green (WI), Keller, Issa, Flake, Pence, Forbes, King (IA), Feeney, Franks (AZ), and Gohmert. **Page 805**

Committee on Resources: Representatives Young (AL), Saxton, Gallegly, Duncan, Gilchrest, Calvert, Cubin, Radanovich, Jones (NC), Cannon, Peterson (PA), Gibbons, Souder, Walden (OR), Tancredo, Hayworth, Flake, Renzi, Pearce, Nunes, Brown (SC), Drake, Fortuño, McMorris, Jindal, and Gohmert. **Page 805**

Committee on Rules: Representative Gingrey. **Page 805**

Committee on Science: Representatives Hall, Smith (TX), Weldon (PA), Rohrabacher, Calvert, Bartlett (MD), Ehlers, Gutknecht, Lucas (OK), Biggert, Gilchrest, Akin, Johnson (IL), Forbes, Bonner, Feeney, Inglis (SC), Reichert, Sodrel, Schwarz (MI), and McCaul. **Page 805**

Committee on Small Business: Representatives Bartlett (MD), Kelly, Chabot, Graves, Akin, Musgrave, King (IA), McCotter, Poe, Sodrel, Fortenberry, Fitzpatrick (PA), Westmoreland, and Gohmert. **Page 805**

Committee on Transportation and Infrastructure: Representatives Petri, Boehlert, Coble, Duncan, Gilchrest, Mica, Hoekstra, Ehlers, Bachus, LaTourette, Kelly, Baker, Ney, LoBiondo, Moran (KS), Gary Miller (CA), Hayes, Simmons, Brown (SC), Johnson (IL), Platts, Graves, Kennedy (MN), Shuster, Boozman, Pearce, Gerlach, Mario Diaz-Balart (FL), Porter, Osborne, Marchant, Sodrel, Dent, Poe, Reichert, Mack, Kuhl, Fortuño, Westmoreland, and Boustany. **Page 805**

Committee on Veterans' Affairs: Representatives Bilirakis, Everett, Stearns, Moran (KS), Baker, Simmons, Brown (SC), Miller (FL), Boozman, Bradley (NH), Brown-Waite (FL), and Renzi. **Page 805**

Committee Elections: The House agreed to H. Res. 49, electing Members and Delegates to certain standing committees:

Committee on Agriculture: Representatives Holden, Thompson (MI), McIntyre, Etheridge, Baca, Case, Cardoza, Scott (GA), Marshall, Herseth, Butterfield, Cuellar, Melancon, Costa, Salazar, and Barrow. **Page 808**

Committee on Appropriations: Representatives Murtha, Dicks, Sabo, Hoyer, Mollohan, Kaptur, Visclosky, Lowey, Serrano, DeLauro, Moran (VA), Olver, Pastor, Price (NC), Edwards, Cramer, Kennedy (RI), Clyburn, Hinchey, Roybal-Allard, Farr, Jackson (IL), Kilpatrick (MI), Boyd, Fattah, Rothman, Bishop (GA), and Berry. **Page 808**

Committee on Armed Services: Representatives Spratt, Ortiz, Evans, Taylor (MS), Abercrombie, Meehan, Reyes, Snyder, Smith (WA), Loretta Sanchez (CA), McIntyre, Tauscher, Brady (PA), Andrews, Davis (CA), Langevin, Israel, Larsen (WA), Cooper, Marshall, Meek (FL), Bordallo, Ryan (OH), Udall (CO), Butterfield, McKinney, and Boren. **Page 808**

Committee on the Budget: Representatives Moore (KS), Neal (MA), DeLauro, Edwards, Ford, Capps, Baird, Cooper, Davis (AL), Jefferson, Allen, Case, McKinney, and Cuellar. **Page 808**

Committee on Education and the Workforce: Representatives Kildee, Owens, Payne, Andrews, Scott (VA), Woolsey, Hinojosa, McCarthy, Tierney, Kind, Kucinich, Wu, Holt, Davis (CA), McCollum (MN), Davis (IL), Grijalva, Van Hollen, Ryan (OH), Bishop (NY), and Barrow. **Page 808**

Committee on Energy and Commerce: Representatives Waxman, Markey, Boucher, Towns, Pallone, Brown (OH), Gordon, Rush, Eshoo, Stupak, Engel, Wynn, Gene Green (TX), Strickland, DeGette, Capps, Doyle, Allen, Davis (FL), Schakowsky, Solis, Gonzalez, Inslee, Baldwin, and Ross. **Page 808**

Committee on Financial Services: Representatives Kanjorski, Waters, Maloney, Gutierrez, Velázquez, Watt, Ackerman, Hooley (OR), Carson, Sherman, Meeks (NY), Lee, Moore (KS), Capuano, Ford, Hinojosa, Crowley, Clay, Israel, McCarthy, Baca, Matheson, Lynch, Miller

(NC), Scott (GA), Davis (AL), Gene Green (TX), Cleaver, Bean, Wasserman Schultz, and Moore (WI). **Page 808**

Committee on Government Reform: Representatives Lantos, Owens, Towns, Kanjorksi, Maloney, Cummings, Kucinich, Davis (IL), Tierney, Clay, Watson, Lynch, Van Hollen, Linda T. Sánchez (CA), Ruppersberger, and Higgins. **Page 808**

Committee on House Administration: Representatives Millender-McDonald, and Brady (PA). **Page 808**

Committee on International Relations: Representatives Berman, Ackerman, Faleomavaega, Payne, Menendez, Brown (OH), Sherman, Wexler, Engel, Delahunt, Meeks (NY), Lee, Crowley, Blumenauer, Berkley, Napolitano, Schiff, Watson, Smith (WA), McCollum (MN), Chandler, and Cardoza. **Page 808**

Committee on the Judiciary: Representatives Berman, Boucher, Nadler, Scott (VA), Watt, Zoe Lofgren (CA), Jackson-Lee (TX), Waters, Meehan, Delahunt, Wexler, Weiner, Schiff, and Linda T. Sánchez (CA). **Page 808**

Committee on Resources: Representatives Kildee, Faleomavaega, Abercrombie, Ortiz, Pallone, Christensen, Kind, Napolitano, Udall (NM), Grijalva, Bordallo, Costa, Melancon, and Boren. **Page 808**

Committee on Rules: Representatives McGovern and Hastings (FL). **Page 808**

Committee on Science: Representatives Costello, Eddie Bernice Johnson (TX), Woolsey, Udall (CO), Wu, Honda, Miller (NC), Davis (TN), Carnahan, and Lipinski. **Page 808**

Committee on Small Business: Representatives Millender-McDonald, Udall (NM), and Lipinski. **Page 808**

Committee on Standards of Official Conduct: Representative Mollohan. **Page 808**

Committee on Transportation and Infrastructure: Representatives Rahall, DeFazio, Costello, Norton, Nadler, Menendez, Corrine Brown (FL), Filner, Eddie Bernice Johnson (TX), Taylor (MS), Millender-McDonald, Cummings, Blumenauer, Tauscher, Pascrell, Boswell, Holden, Baird, Berkley, Matheson, Honda, Larsen (WA), Capuano, Weiner, Carson, Bishop (NY), Michaud, Davis (TN), Chandler, Higgins, Carnahan, Schwartz (PA), and Salazar. **Page 808**

Committee on Veterans' Affairs: Representatives Filner, Gutierrez, Corrine Brown (FL), Snyder, Michaud, Herseth, and Higgins. **Page 808**

Committee on Ways and Means: Representatives Stark, Levin, Cardin, McDermott, Lewis (GA), Neal (MA), McNulty, Jefferson, Tanner, Becerra, Doggett, Pomeroy, Jones (OH), Thompson (CA), Larson (CT), and Emanuel. **Page 808**

Later it was agreed that the Clerk be authorized to make technical corrections in the engrossment of the resolution. **Page 825**

Committee Elections: The House agreed to H. Res. 50, electing Representative Sanders to the Committees on Financial Services and Government Reform. **Page 808**

Composition of the Permanent Select Committee on Intelligence: It was agreed that the Permanent Select Committee on Intelligence not be composed of more than 19 members, of whom not more than 11 may be from the same party. **Page 808**

Later, it was agreed to vacate the unanimous consent agreement. **Page 826**

Congressional Gold Medal Enhancement Act of 2005: The House passed H.R. 54, to amend title 31, United States Code, to provide reasonable standards for congressional gold medals, by a recorded vote of 231 ayes to 173 noes, Roll No. 13. **Page 808**

Rejected the Crowley motion to recommit the bill to the Committee on Financial Services with instructions to report the bill back to the House forthwith with an amendment by a yea-and-nay vote of 187 yeas to 217 nays, Roll No. 12. **Page 822**

Agreed to:

Oxley manager's amendment (No. 1 printed in H. Rept. 109–1) that changes the effective date of the bill to the date of enactment. **Page 816**

Rejected:

Crowley amendment (No. 2 printed in H. Rept. 109–1) that increases the limit of gold medals provided for under the bill from two per calendar year to six per Congress (by a recorded vote of 189 ayes to 212 noes, Roll No. 10); and **Pages 817, 821**

Crowley amendment (No. 3 printed in H. Rept. 109–1) that provides for the equitable distribution of gold medals under the bill between the majority and minority parties (by a recorded vote of 182 ayes to 211 noes, Roll No. 11). **Page 818**

H. Res. 42, the rule providing for consideration of the bill was agreed to by a voice vote, after agreeing to strike section 2 of the resolution. **Page 808**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, February 2. **Page 825**

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at 2 p.m. on Friday, January 28, 2005, unless it sooner has received a message from the Senate transmitting its concurrence in H. Con. Res. 21, in which case the House shall stand adjourned pursuant to that concurrent resolution. **Page 825**

Permanent Select Committee on Intelligence: The House agreed to H. Res. 51, amending the Rules of the House relating to the composition of the Permanent Select Committee on Intelligence. **Page 826**

Later the Chair announced the Speaker's appointment of the following members to the Committee: Representatives LaHood, Cunningham, Everett, Gallegly, Wilson (NM), JoAnn Davis, (VA), Thornberry, McHugh, Tiahrt, Rogers, (MI), Renzi, Hastings (FL), Reyes, Boswell, Cramer, Eshoo, Holt, Ruppersberger, and Tierney. **Page 835**

Honoring Johnny Carson: The House agreed to H. Res. 40, honoring the career and philanthropic contributions of Johnny Carson. **Page 826**

Committee Resignation: Read a letter from Representative McHugh wherein he resigned from the Permanent Select Committee on Intelligence. **Page 835**

Committee Resignation: Read a letter from Representative Renzi wherein he resigned from the Committee on Agriculture. **Page 835**

Quorum Calls—Votes: One yea-and-nay vote and three recorded votes developed during the proceedings today and appear on pages 821–24. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 2:35 p.m.

Committee Meetings

COMMITTEE ORGANIZATION

Committee on Armed Services: Met for organizational purposes.

The Committee approved an Oversight Plan for the 109th Congress.

COMBATING SPYWARE

Committee on Energy and Commerce: Held a hearing on Combating Spyware: H.R. 29, Spy Act. Testimony was heard from public witnesses.

BRIEFING—U.S. TSUNAMI RELIEF

Committee on International Relations: Held a briefing on The Tsunami Tragedy: How the U.S. is Responding and Providing Relief. Testimony was heard from Representatives Leach and Blumenauer; the following officials of the Department of State: Andrew S. Natsios, Administrator, AID; and Ambassador Alan P. Larson, Under Secretary, Economic, Business and Agricultural Affairs; the following officials of the Department of Defense: Peter W. Rodman, Assistant Secretary, International Security Affairs; and BG John Allen, USMC, Principal Director, Asian and Pacific Affairs, International Security Affairs; and public witnesses.

COMMITTEE ORGANIZATION; OVERSIGHT PLAN

Committee on the Judiciary: Met for organizational purposes.

The Committee approved an Oversight Plan for the 109th Congress.

TSUNAMIS: IS THE U.S. PREPARED?

Committee on Science: Held a hearing on Tsunamis: Is the U.S. Prepared? Testimony was heard from Representative Inslee; Charles Groat, Director, U.S. Geological Survey, Department of the Interior; David L. Johnson, Director, National Weather Service, NOAA, Department of Commerce; and public witnesses.

Monday, January 31, 2005

Senate

Chamber Action

Routine Proceedings, pages 985–1051

Measures Introduced: Twenty-three bills and five resolutions were introduced, as follows: S. 201–223, and S. Res. 22–26. **Page 1017**

Measures Reported:

S. Res. 22, authorizing expenditures by the Select Committee on Intelligence.

S. Res. 23, authorizing expenditures by the Special Committee on Aging.

S. Res. 24, authorizing expenditures by the Committee on the Budget.

S. Res. 25, authorizing expenditures by the Committee on Finance. **Page 1017**

Measures Passed:

Providing for a Joint Session: Senate agreed to H. Con. Res. 20, providing for a joint session of Congress to receive a message from the President. **Page 1048**

Nomination—Agreement: A unanimous-consent agreement was reached providing that at 10:45 a.m., on Tuesday, February 1, 2005, Senate will begin consideration of the nomination of Alberto R. Gonzales, of Texas, to be Attorney General. **Page 1048**

Appointments:

United States Capitol Preservation Commission: The Chair, on behalf of the Republican Leader, pursuant to Public Law 100–696, announced the appointment of Senator Cochran as a member of the United States Capitol Preservation Commission, vice Senator Campbell. **Page 1048**

Japan-United States Friendship Commission: The Chair, on behalf of the President pro tempore, pursuant to Public Law 94–118, Section 4 (a) (3) appointed Senator Murkowski to the Japan-United States Friendship Commission. **Page 1048**

Nominations Confirmed: Senate confirmed the following nomination:

Samuel W. Bodman, of Massachusetts, to be Secretary of Energy. **Pages 999, 1051**

Nominations Received: Senate received the following nominations:

Michael Chertoff, of New Jersey, to be Secretary of Homeland Security.

22 Air Force nominations in the rank of general.

2 Army nominations in the rank of general.

1 Navy nomination in the rank of admiral.

Routine lists in the Air Force, Coast Guard, Marine Corps, Navy. Page 1048

Additional Cosponsors: Page 1018

Statements on Introduced Bills/Resolutions: Page 1019

Additional Statements: Page 1015

Notices of Hearings/Meetings: Page 1048

Privilege of the Floor: Page 1048

Adjournment: Senate convened at 1 p.m, and adjourned at 5:33 p.m., until 9:45 a.m., on Tuesday, February 1, 2005. (For Senate's program, see the remarks of Acting Majority Leader in today's Record on page 1048.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. The House will meet at 2 p.m. on Tuesday, February 1.

Committee Meetings

No committee meetings were held.

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Tuesday, February 1, 2005

Senate

Chamber Action

Routine Proceedings, pages 1105–1260

Measures Introduced: Thirty-three bills and eight resolutions were introduced, as follows: S. 224–256, S. Res. 27–33, and S. Con. Res. 8. Page 1164

Measures Reported:

S. Res. 29, authorizing expenditures by the Committee on Armed Services.

S. Res. 30, authorizing expenditures by the Committee on Commerce, Science, and Transportation.

S. Res. 32, authorizing expenditures by the Committee on Foreign Relations. Page 1164

Measures Passed:

Family Entertainment and Copyright Act: Committee on the Judiciary was discharged from further consideration of S. 167, to provide for the protection of intellectual property rights, and the bill was then passed, after agreeing to the following amendment proposed thereto:

Brownback (for Leahy/Hatch) Amendment No. 1, of a technical nature. Page 1256

Commending Palestinian Presidential Election: Senate agreed to S. Res. 27, commending the results of the January 9, 2005, Palestinian Presidential Elections. Page 1259

Nomination: Senate began consideration of the nomination of Alberto R. Gonzales, of Texas, to be Attorney General. Page 1111

A unanimous-consent-time agreement was reached providing for further consideration of the nomination that at 9:30 a.m., on Wednesday, February 2, 2005; that the time until 4:30 p.m., be equally divided between the Chairman and Ranking Member of the Committee on the Judiciary, or their designees; that following 2 hours of morning business on Thursday, February 3, 2005, Senate continue consideration of the nomination for a period of 8 hours equally divided between the Chairman and Ranking Member of the Committee on the Judiciary, or their designees; and that following the use or yielding back of time, Senate vote on the confirmation of the nomination. Page 1260

Bill—Referral: A unanimous-consent agreement was reached providing that the Committee on Health, Education, Labor and Pensions be discharged from further consideration of S. 45, to amend the Controlled Substances Act to lift the patient limitation on prescribing drug addiction treatments by medical practitioners in group practices, and referred to the Committee on the Judiciary. Page 1259

Appointments:

Congressional Advisers on Trade Policy and Negotiations: The Chair, in accordance with Public Law 93–618, as amended by Public Law 100–418, on behalf of the President pro tempore and upon the recommendation of the Chairman of the Committee on Finance, appointed the following Members of the Committee on Finance as congressional advisers on trade policy and negotiations: Senators Grassley, Hatch, Lott, Baucus, and Rockefeller. Page 1259

Washington's Farewell Address: The Chair, on behalf of the Vice President, pursuant to the order of the Senate of January 24, 1901, appointed Senator Burr to read Washington's Farewell Address on Friday, February 18, 2005. Page 1259

Additional Cosponsors: Page 1165

Statements on Introduced Bills/Resolutions: Page 1166

Amendments Submitted: Page 1255

Notices of Hearings/Meetings: Page 1256

Authority for Committees to Meet: Page 1256

Privilege of the Floor: Page 1256

Adjournment: Senate convened at 9:45 a.m., and adjourned at 6:52 p.m., until 9:15 a.m., on Wednesday, February 2, 2005. (For Senate's program, see the remarks of Acting Majority Leader in today's Record on page 1260.)

Committee Meetings

MILITARY PERSONNEL BENEFITS

Committee on Armed Services: Committee concluded a hearing to examine death benefits and services available to survivors of military personnel and legislative proposals to enhance these benefits, after receiving testimony from David S.C. Chu, Under Secretary of Defense for Personnel and Readiness; General Richard A. Cody, USA, Vice Chief of Staff, United States Army; Admiral John B. Nathman, USN, Vice Chief of Naval Operations, United States Navy; General William L. Nyland, USMC, Assistant Commandant, United States Marine Corps; General T. Michael Moseley, USAF, Vice Chief of Staff, United States Air Force; and Robert J. Epley, Associate Deputy Under Secretary for Policy and Program Management, Veterans Benefits Administration, Department of Veterans Affairs.

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported an original resolution (S. Res. 29) authorizing expenditures by the Committee, and adopted its rules of procedure for the 109th Congress.

BUDGET AND ECONOMIC OUTLOOK

Committee on the Budget: Committee concluded a hearing to examine the Congressional Budget Office report on the budget and economic outlook for fiscal years 2006 to 2015, after receiving testimony from Douglas Holtz-Eakin, Director, Congressional Budget Office.

BUSINESS MEETING

Committee on the Budget: On Monday, January 31, committee ordered favorably reported an original resolution (S. Res. 24) authorizing expenditures by the Committee.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported an original resolution (S. Res. 30) authorizing expenditures by the committee.

U.S. POLICY IN IRAQ AND THE MIDDLE EAST

Committee on Foreign Relations: Committee concluded a hearing to examine strategies for reshaping U.S. policy regarding Iraq and the Middle East, after receiving testimony from Anthony H. Cordesman, Center for Strategic and International Studies, and Peter Khalil, The Brookings Institution Saban Center for the Middle East Policy, both of Washington, D.C.; and Lt. Gen. Gregory S. Newbold, USMC (Ret.), GlobeSecNine, Arlington, Virginia.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported an original resolution (S. Res. 32) authorizing expenditures by the Committee, adopted its rules of procedure for the 109th Congress, and announced the following subcommittee assignments:

Subcommittee on International Economic Policy, Export and Trade Promotion: Senators Hagel (Chairman), Alexander, Murkowski, Martinez, Voinovich, Sarbanes, Dodd, Kerry and Obama.

Subcommittee on Near Eastern and South Asian Affairs: Senators Chafee (Chairman), Hagel, Coleman, Voinovich, Sununu, Boxer, Sarbanes, Nelson, and Obama.

Subcommittee on European Affairs: Senators Allen (Chairman), Voinovich, Murkowski, Hagel, Chafee, Biden, Sarbanes, Dodd, and Feingold.

Subcommittee on Western Hemisphere, Peace Corps, and Narcotics Affairs: Senators Coleman (Chairman), Chafee, Allen, Martinez, Sununu, Dodd, Kerry, Boxer, and Nelson.

Subcommittee on International Operations and Terrorism: Senators Sununu (Chairman), Voinovich, Allen, Coleman, Alexander, Nelson, Biden, Kerry, and Boxer.

Subcommittee on East Asian and Pacific Affairs: Senators Murkowski (Chairman), Alexander, Hagel, Chafee, Allen, Kerry, Biden, Feingold, and Obama.

Subcommittee on African Affairs: Senators Martinez (Chairman), Alexander, Coleman, Sununu, Murkowski, Feingold, Sarbanes, Dodd, and Obama.

BUSINESS MEETING

Committee on Small Business and Entrepreneurship: Committee ordered favorably reported an original resolution (S. Res. 21) authorizing expenditures by the Committee, and adopted its rules of procedure for the 109th Congress.

COMMITTEE RULES

Committee on Veterans Affairs: Committee adopted its rules of procedure for the 109th Congress.

BUSINESS MEETING

Special Committee on Aging: On Monday, January 31, committee ordered favorably reported an original resolution (S. Res. 23) authorizing expenditures by the Committee, and adopted its rules of procedure for the 109th Congress.

House of Representatives

Chamber Action

Measures Introduced: 73 public bills, H.R. 433–505; 1 private bill, H.R. 506; and; 14 resolutions, H.J. Res. 15–16; H. Con. Res. 37–42, and H. Res. 56–61, were introduced. **Page 1100**

Additional Cosponsors: **Page 1103**

Reports Filed: Reports were filed today as follows:

H. Res. 59, providing for consideration of H. Con. Res. 36, expressing the continued support of Congress for equal access of military recruiters to institutions of higher education (H. Rept. 109–2). **Page 1100**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Honoring the contributions of Catholic Schools: H. Res. 23, honoring the contributions of Catholic schools, by a ⅔ yea-and-nay vote of 408 yeas with none voting "nay", Roll No. 14; **Pages 1056, 1067**

Dalip Singh Saund Post Office Building Designation Act: H.R. 120, to designate the facility of the United States Postal Service located at 30777 Rancho California Road in Temecula, California, as the "Dalip Singh Saund Post Office Building", by a ⅔ yea-and-nay vote of 410 yeas with none voting "nay", Roll No. 15; and **Pages 1062, 1067**

Staff Sergeant First Class John Marshall Post Office Building Designation Act: H.R. 289, amended, to designate the facility of the United States Postal Service located at 8200 South Vermont Avenue in Los Angeles, California, as the "Staff Sergeant First Class John Marshall Post Office Building". **Page 1065**

Agreed to amend the title so as to read: to designate the facility of the United States Postal Service located at 8200 South Vermont Avenue in Los Angeles, California, as the "Sergeant First Class John Marshall Post Office Building". **Page 1066**

Recess: The House recessed at 3:20 p.m. and reconvened at 6:32 p.m. **Page 1066**

Iraq Free Election Resolution—Order of Business: The House agreed by unanimous consent that it be in order at any time to consider a resolution relating to the free election in Iraq held on January 30, 2005; that the resolution be considered as read; and that the previous question be considered as ordered on the resolution and preamble to final adoption without intervening motion or demand for division of the question except one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations. **Page 1066**

District Work Period: The House agreed to H. Con. Res. 39, providing for the conditional adjournment of the House and the conditional recess or adjournment of the Senate. **Page 1066**

Senate Message: Messages received from the Senate today appear on page 1054.

Senate Referrals: S. Con. Res. 7 was ordered held at the desk. **Page 1054**

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings today and appear on pages 1067–68. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 10:57 p.m.

Committee Meetings

RESOLUTION—COLLEGE MILITARY RECRUITMENT; OVERSIGHT PLAN

Committee on Rules: Granted, by voice vote, a closed rule providing 1 hour of debate in the House on H. Con. Res. 36, expressing the continued support of Congress for equal access of military recruiters to institutions of higher education, equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services. The rule provides one motion to recommit. Testimony was heard from Representatives Kline and Rogers of Alabama.

The Committee also approved an Oversight Plan for the 109th Congress.

Résumé of Congressional Activity

FIRST SESSION OF THE ONE HUNDRED NINTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 4 through January 31, 2005

	Senate	*House*	*Total*
Days in session	7	5	..
Time in session	39 hrs., 47′	24 hrs., 7′	..
Congressional Record:			
Pages of proceedings	680	237	..
Extensions of Remarks	..	111	..
Public bills enacted into law	..	1	1
Private bills enacted into law	..	..	..
Bills in conference	..	..	..
Bills through conference	..	..	..
Measures passed, total	18	30	48
Senate bills	..	..	..
House bills	1	2	..
Senate joint resolutions	..	..	..
House joint resolutions	..	..	..
Senate concurrent resolutions	3	2	..
House concurrent resolutions	3	5	..
Simple resolutions	11	21	..
Measures reported, total*	11	1	12
Senate bills	..	..	..
House bills	..	..	..
Senate joint resolutions	..	..	..
House joint resolutions	..	..	..
Senate concurrent resolutions	..	..	..
House concurrent resolutions	..	..	..
Simple resolutions	11	1	..
Special reports	..	..	..
Conference reports	..	..	..
Measures pending on calendar	..	..	..
Measures introduced, total	249	536	785
Bills	214	432	..
Joint resolutions	2	14	..
Concurrent resolutions	7	35	..
Simple resolutions	26	55	..
Quorum calls	1	1	..
Yea-and-nay votes	2	9	..
Recorded votes	2	3	..
Bills vetoed	..	..	..
Vetoes overridden	..	..	..

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*These figures include all measures reported, even if there was no accompanying report. A total of 0 reports have been filed in the Senate, a total of 1 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 4 through January 31, 2005

Civilian nominations, totaling 66, disposed of as follows:

Confirmed	7
Unconfirmed	59

Other Civilian nominations, totaling 261, disposed of as follows:

Unconfirmed	261

Air Force nominations, totaling 255, disposed of as follows:

Unconfirmed	255

Army nominations, totaling 1,605, disposed of as follows:

Unconfirmed	1,605

Navy nominations, totaling 54, disposed of as follows:

Unconfirmed	54

Marine Corps nominations, totaling 1,149, disposed of as follows:

Unconfirmed	1,149

Summary

Total nominations carried over from the First Session	0
Total nominations received this Session	3,390
Total confirmed	7
Total unconfirmed	3,383
Total withdrawn	0
Total returned to the White House	0

Wednesday, February 2, 2005

Senate

Chamber Action

Routine Proceedings, pages 1281–1359

Measures Introduced: Fifteen bills and three resolutions were introduced, as follows: S. 257–271, S. Res. 34–35, and S. Con. Res. 9. **Page 1336**

Measures Reported:

S. Res. 34, authorizing expenditures by the Committee on Health, Education, Labor, and Pensions.

S. Res. 35, authorizing expenditures by the Committee on Veterans' Affairs. **Page 1336**

Measures Passed:

Adjournment Resolution: Senate agreed to H. Con. Res. 39, providing for an adjournment of the House of Representatives. **Page 1358**

Nomination: Senate continued consideration of the nomination of Alberto R. Gonzales, of Texas, to be Attorney General. **Page 1282**

A unanimous-consent agreement was reached providing for further consideration of the nomination following 2 hours of morning business on Thursday, February 3, 2005. **Page 1358**

Escort Committee—Agreement: A unanimous-consent agreement was reached providing that the Presiding Officer of the Senate be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort the President of the United States into the House Chamber for the joint session to be held tonight, Wednesday, February 2, 2005, at 9 p.m. **Page 1358**

Messages from the President: Senate received the following message from the President of the United States:

Transmitting the report on the State of the Union delivered to a Joint Session of Congress on February 2, 2005; which was ordered to lie on the table. (PM–2) **Page 1327**

Messages From the House: **Page 1331**

Measures Referred: **Page 1331**

Executive Communications: **Page 1331**

Additional Cosponsors: **Page 1336**

Statements on Introduced Bills/Resolutions: **Page 1337**

Additional Statements: **Page 1327**

Authority for Committees to Meet: **Page 1358**

Adjournment: Senate convened at 9:15 a.m., and adjourned at 10:07 p.m., until 9 a.m., on Thursday, February 3, 2005. (For Senate's program, see the remarks of Acting Majority Leader in today's Record on page 1358.)

Committee Meetings

TSUNAMI PREPAREDNESS ACT

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the U.S. Tsunami Warning System, and S. 50, to authorize and strengthen the National Oceanic and Atmospheric Administration's tsunami detection, forecast, warning, and mitigation program, after receiving testimony from Senators Frist and Landrieu; John H. Marburger, III, Director, Office of Science and Technology Policy; Brigadier General John J. Kelly, USAF (Ret.), Deputy Under Secretary of Commerce for Oceans and Atmosphere, National Oceanic and Atmospheric Administration; Charles G. Groat, Director, U.S. Geological Survey, Department of the Interior; Arden L. Bement, Jr., Director, National Science Foundation; Roger A. Hansen, Alaska Earthquake Information Center, University of Alaska, Fairbanks; Eileen L. Shea, East-West Center, Honolulu, Hawaii; and Daniel T. Cox, Oregon State University College of Engineering, Corvallis.

CLEAR SKIES ACT

Committee on Environment and Public Works: Committee concluded a hearing to examine S. 131, to amend the Clean Air Act to reduce air pollution through expansion of cap and trade programs, to provide an alternative regulatory classification for units subject to the cap and trade program, after receiving testimony from James L. Connaughton, Chairman, Council on Environmental Quality; Brian Houseal, Adirondack Council, Albany, New York; John D. Walke, Natural Resources Defense Council, New York, New York; and Abraham Breehey, International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers, and Helpers, Fairfax, Virginia.

SOCIAL SECURITY

Committee on Finance: Committee held a hearing to examine the long term outlook for social security, focusing on economic, budgetary, and programmatic perspectives, and the aging of the population of the United States, receiving testimony from Douglas Holtz-Eakin, Director, Congressional Budget Office; and Stephen C. Goss, Chief Actuary, Social Security Administration.

Hearing recessed subject to the call.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported an original resolution (S. Res. 34) authorizing expenditures by the Committee.

Also, committee adopted its rules of procedure for the 109th Congress and announced the following subcommittee assignments:

Subcommittee on Education and Early Childhood Development: Senators Alexander (Chairman), Gregg, Burr, Isakson, DeWine, Ensign, Hatch, Sessions, Dodd, Harkin, Jeffords, Bingaman, Murray, Reed, and Clinton.

Subcommittee on Bioterrorism and Public Health Preparedness: Senators Burr (Chairman), Gregg, Frist, Alexander, DeWine, Ensign, Hatch, Roberts, Kennedy, Dodd, Harkin, Mikulski, Bingaman, Murray, and Reed.

Subcommittee on Employment and Workplace Safety: Senators Isakson (Chairman), Alexander, Burr, Ensign, Sessions, Roberts, Murray, Dodd, Harkin, Mikulski, and Jeffords.

Subcommittee on Retirement Security and Aging: Senators DeWine (Chairman), Isakson, Hatch, Sessions, Roberts, Mikulski, Jeffords, Bingaman, and Clinton.

NOMINATION

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nomination of Michael Chertoff, of New Jersey, to be Secretary of Homeland Security, after the nominee, who was introduced by Senators Corzine and Lautenberg, testified and answered questions in his own behalf.

ASBESTOS

Committee on the Judiciary: Committee concluded a hearing to examine FELA issues relating to asbestos, focusing on asbestos-related diseases, other dust diseases, and development of legislation to establish a trust fund to compensate workers with asbestos-related diseases, including the Fairness in Asbestos Injury Resolution (FAIR) Act, after receiving testimony from Edward Becker, Third Circuit Court of Appeals Judge, Philadelphia, Pennsylvania; Laura Welch, Center to Protect Workers Rights, Silver Spring, Maryland; Michael B. Martin, Maloney, Martin, and Mitchell, LLP, Houston, Texas; David Weill, University of Colorado Health Sciences Center, Denver; Lester Brickman, Yeshiva University Cardozo School of Law, New York, New York; Paul E. Epstein, University of Pennsylvania School of Medicine, Radnor; Paul R. Hoferer, BNSF Railway Co., Fort Worth, Texas, on behalf of the Association of American Railroads; Donald F. Griffin, International Brotherhood of Teamsters, Washington, D.C.; and Theodore Rodman, Ardmore, Pennsylvania.

COMMITTEE FUNDING RESOLUTION

Committee on Veterans' Affairs: Committee approved for reporting an original resolution (S. Res. 35) authorizing expenditures by the Committee.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Measures Introduced: 100 public bills, H.R. 507–606; 2 private bills, H.R. 607–608; and; 9 resolutions, H. Con. Res. 43–45, and H. Res. 62–67, were introduced. **Page 1422**

Additional Cosponsors: **Page 1428**

Reports Filed: No reports were filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative LaHood as Speaker Pro Tempore for today. **Page 1360**

Chaplain: The prayer was offered today by Rev. Aubry L. Wallace, Chaplain, Chilton County Sheriff's Department in Clanton, Alabama. **Page 1360**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Commending the Palestinian people for conducting a free and fair presidential election: H. Res. 56, commending the Palestinian people for conducting a free and fair presidential election on January 9, 2005, by a ⅔ yea-and-nay vote of 415 yeas to 1 nay, Roll No. 17; and **Pages 1363, 1399**

Urging the European Union to maintain its arms embargo on the People's Republic of China: H. Res. 57, urging the European Union to maintain its arms embargo on the People's Republic of China, by a ⅔ yea-and-nay vote of 411 yeas to 3 nays, Roll No. 18. **Pages 1371, 1400**

Iraq Free Election Resolution: The House agreed to H. Res. 60, relating to the free election in Iraq held on January 30, 2005, by yea-and-nay vote of 404 yeas to 9 nays with 3 voting "present", Roll No. 19. **Pages 1376, 1401**

The resolution was considered under a unanimous consent agreement reached yesterday, February 1. **Page 1383**

Support for equal access of military recruiters to institutions of higher education: The House agreed to H. Con. Res. 36, expressing the continued support of Congress for equal access of military recruiters to institutions of higher education, by a yea-and-nay vote of 327 yeas to 84 nays, Roll No. 16. **Pages 1389, 1398**

H. Res. 59, the rule providing for consideration of the resolution was agreed to by voice vote. **Page 1383**

Committee Leave of Absence: Read a letter from Representative Tierney wherein he requested a leave of absence, effective immediately, from the Committee on Government Reform due to pending appointment to the Permanent Select Committee on Intelligence. **Page 1390**

Committee Resignation: Read a letter from Representative Thompson (MS) wherein he resigned from the Committee on Agriculture, effective immediately. **Page 1390**

Committee Elections: The House agreed to H. Res. 62, electing the following Members and Delegates to the following standing committees:

Committee on Agriculture: Representatives Pomeroy, Boswell, Larsen (WA), Davis (TN), and Chandler. **Page 1391**

Committee on the Budget: Representative Kind. **Page 1391**

Committee on Government Reform: Representative Norton. **Page 1391**

Committee on Resources: Representatives George Miller (CA), Markey, DeFazio, Inslee, Udall (CO), Cardoza, and Herseth. **Page 1391**

Committee on Science: Representatives Hooley (OR), Jackson-Lee (TX), Zoe Lofgren (CA), Sherman, Baird, Matheson, Costa, Al Green (TX), and Melancon. **Page 1391**

Committee on Small Business: Representatives Faleomavaega, Christensen, Davis (IL), Case, Bordallo, Grijalva, Michaud, Linda T. Sánchez (CA), Barrow, and Bean. **Page 1391**

Committee on Veterans' Affairs: Representatives Strickland, Hooley (OR), Reyes, Berkely, and Udall (NM). **Page 1391**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, February 9. **Page 1402**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 2 p.m. on Friday, February 4, 2005, unless it sooner has received a message from the Senate transmitting its concurrence in H. Con. Res. 39, in which case the House shall stand adjourned pursuant to that concurrent resolution. **Page 1402**

Committee Elections: The House agreed to H. Res. 64, electing Representatives Crenshaw, Wicker, and Ros-Lehtinen to the Committee on the Budget. **Page 1413**

Recess: The House recessed at 3:41 p.m. and reconvened at 4:50 p.m. **Page 1413**

Committee Elections: The House agreed to H. Res. 65, electing Representatives Hastings (WA), Chairman; and Representatives Biggert, Smith (TX), Hart, and Cole to the Committee on Standards of Official Conduct. **Page 1414**

Committee Elections: The House agreed to H. Res. 66, electing the following Members to the following standing committees:

Committee on Education and the Workforce: Representative Souder. **Page 1414**

Committee on Financial Services: Representative Pearce. **Page 1414**

Committee on International Relations: Representative Barrett (SC). **Page 1414**

Committee on Small Business: Representatives Shuster, Bradley (NH), and Keller. **Page 1414**

Committee on Veterans' Affairs: Representatives Nunes and Turner. **Page 1414**

Recess: The House recessed at 4:53 p.m. and reconvened at 8:45 p.m. **Page 1414**

State of the Union Message: President George W. Bush delivered his State of the Union address to a joint session of Congress, pursuant to the provisions of H. Con. Res. 20. He was escorted into the House chamber by a committee comprised of Representatives DeLay, Blunt, Pryce, Shadegg, Pelosi, Hoyer, Menendez, and Clyburn and Senators Frist, McConnell, Santorum, Hutchison, Kyl, Dole, Hatch, Thomas, Reid, Durbin, Stabenow, Schumer, Dorgan, and Clinton. **Page 1414**

Later, it was agreed that the President's message be referred to the Committee of the Whole House on the State of the Union and ordered printed (H. Doc. 109–3). **Page 1418**

Committee Resignation: Read a letter from Representative Souder wherein he resigned from the Committee on Resources, effective today, February 2. **Page 1418**

Senate Messages: Messages received from the Senate today appear on page 1360.

Senate Referrals: S. 167 was referred to the Committees on the Judiciary and House Administration. **Page 1419**

Quorum Calls—Votes: Four yea-and-nay votes developed during the proceedings today and appear on pages 1398–1401.

There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 10:08 p.m., pursuant to the provisions of H. Con. Res. 39, stands adjourned until 2 p.m. on Tuesday, February 8.

Committee Meetings

ARMED FORCES ADEQUACY

Committee on Armed Services: Subcommittee on Military Personnel held a hearing on the adequacy of Armed Forces. Testimony was heard from the following officials of the Department of Defense: GEN Richard A. Cody, USA, Vice Chief of Staff, LTG James R. Helmly, USA, Chief, Army Reserve; LTG H. Steven Blum, USA, Chief, National Guard Bureau; LTG Roger C. Schultz, USA, Chief, Army National Guard, all with the Department of the Army; David S. C. Chu, Under Secretary, Personnel and Readiness; and Thomas F. Hall, Assistant Secretary, Reserve Affairs.

COMMITTEE ORGANIZATION; OVERSIGHT PLAN

Committee on the Budget: Met for organizational purposes.

The Committee approved an Oversight Plan for the 109th Congress.

COMMITTEE ORGANIZATION; OVERSIGHT PLAN

Committee on Education and the Workforce: Met for organizational purposes.

The Committee approved an Oversight Plan for the 109th Congress.

COMMITTEE ORGANIZATION

Committee on Energy and Commerce: Met for organizational purposes.

COMMITTEE ORGANIZATION; OVERSIGHT PLAN

Committee on Financial Services: Met for organizational purposes.

The Committee approved an Oversight Plan for the 109th Congress.

CONFRONTING RECIDIVISM

Committee on Government Reform: Held a hearing entitled "Confronting Recidivism: Prisoner Re-entry Programs and a Just Future for All Americans." Testimony was heard from Representatives Portman and Davis of Illinois; Felix Mata, Project Manager, Ex-Offender Initiative, Office of Employment Development, Baltimore, Maryland; Paul A. Quander, Jr., Director, Court Services and Offender Supervision Agency, District of Columbia; Reggie Wilkinson, Department of Rehabilitation and Correction, State of Ohio; and public witnesses.

COMMITTEE ORGANIZATION; OVERSIGHT PLAN

Committee on Resources: Met for organizational purposes.

The Committee approved an Oversight Plan for the 109th Congress.

HUBBLE SCIENCE OPTIONS

Committee on Science: Held a hearing on Options for Hubble Science. Testimony was heard from Lou Lanzerotti, Chair, Committee on the Assessment of Options for Extending the Life of the Hubble Space Telescope, National Academy of Sciences; and public witnesses.

COMMITTEE ORGANIZATION

Committee on Transportation and Infrastructure: Met for organizational purposes.

COMMITTEE ORGANIZATION; OVERSIGHT PLAN

Committee on Ways and Means: Met for organizational purposes.

The Committee approved an Oversight Plan for the 109th Congress.

NATIONAL SECURITY—EMERGING THREATS

Select Committee on Intelligence: Held a hearing on emerging threats to national security. Testimony was heard from the following former officials of the Department of Defense: Richard Perle, Assistant Secretary, International Security Policy; and Kurt Campbell, Deputy Assistant Secretary, Policy; R. James Woolsey, former Director, CIA; and public witnesses.

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Thursday, February 3, 2005

Senate

Chamber Action

Routine Proceedings, pages 1461–1549

Measures Introduced: Twenty-five bills and two resolutions were introduced, as follows: S. 272–296, and S. Res. 36–37. **Page 1533**

Measures Reported:

S. Res. 36, authorizing expenditures by the Committee on the Judiciary.

S. 5, to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants. **Page 1532**

Class Action Fairness Act—Agreement: A unanimous-consent agreement was reached providing that at 3 p.m. on Monday, February 7, 2005, Senate begin consideration of S. 5, to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants, and be limited to debate only; further, that during the consideration of the bill, amendments be limited to those which are related to the subject matter of the bill. **Page 1549**

Appointments:

Policy Committee to the White House Conference on Aging: The Chair, on behalf of the Democratic Leader, after consultation with the members of the Committee on Health, Education, Labor, and Pensions, and the Committee on Aging, pursuant to Public Law 100–175, as amended by Public Laws 102–375, 103–171, and 106–501, appointed the following individual as a member of the Policy Committee to the White House Conference on Aging: Thomas E. Gallagher of Nevada, vice Senator Reid. **Page 1549**

Nominations Confirmed: Senate confirmed the following nomination:

By 60 yeas 36 nays (Vote No. Ex. 3), Alberto R. Gonzales, of Texas, to be Attorney General. **Pages 1476, 1549**

Executive Communications: **Page 1529**

Additional Cosponsors: **Page 1533**

Statements on Introduced Bills/Resolutions: **Page 1534**

Additional Statements: **Page 1529**

Authority for Committees to Meet: **Page 1547**

Record Votes: One record vote was taken today. (Total—3) **Page 1514**

Adjournment: Senate convened at 9 a.m., and adjourned at 6:07 p.m., until 2 p.m., on Monday, February 7, 2005. (For Senate's program, see the remarks of Majority Leader in today's Record on page 1549.)

Committee Meetings

BSE

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine the effects of Bovine Spongiform Encephalopathy (BSE) on United States imports and exports of cattle and beef, focusing on the minimal-risk rule, the role of science in determining risk, and opening the Japanese market, after receiving testimony from Michael Johanns, Secretary, Keith Collins, Chief Economist, and Ron DeHaven, Administrator, Animal and Plant Health Inspection Service, all of the Department of Agriculture.

FBI TRILOGY PROJECT

Committee on Appropriations: Subcommittee on Commerce, Justice, State, the Judiciary, and Related Agencies held a hearing to examine the Federal Bureau of Investigation's Trilogy Information Technology Modernization Program, designed to upgrade the FBI's IT infrastructure and replace its case management system with the Virtual Case File (VCF), receiving testimony from Robert S. Mueller III, Director, and Zalmai Azmi, Chief Information Officer, both of the Federal Bureau of Investigation, Department of Justice.

Hearing recessed subject to the call.

IRAQ SECURITY FORCES

Committee on Armed Services: On Wednesday, February 2, Committee received a closed briefing regarding training of Iraqi security forces from Lieutenant General Walter L. Sharp, USA, Director for Strategic Plans and Policy, J–5, The Joint Staff; Peter W. Rodman, Assistant Secretary of Defense for International Security Affairs; and Robert B. Charles, Assistant Secretary of State for International Narcotics and Law Enforcement Affairs.

MILITARY OPERATIONS

Committee on Armed Services: Committee concluded a hearing to examine United States military operations and stabilization activities in Iraq and Afghanistan, after receiving testimony from Paul D. Wolfowitz, Deputy Secretary of Defense; General Richard B. Myers, USAF, Chairman, Joint Chiefs of Staff; Ronald L. Schlicher, Deputy Assistant Secretary of State, Coordinator for Iraq, and Maureen Quinn, former Ambassador, Coordinator on Afghanistan.

U.S. ENERGY OUTLOOK

Committee on Energy and Natural Resources: Committee concluded a hearing to examine global energy trends and their potential impact on U.S. energy needs, security and policy, focusing on the 2005 annual energy outlook, perspectives on emerging world energy trends, including key factors affecting energy supply (such as OPEC and Russia) and energy demand (such as Asia), after receiving testimony from Guy F. Caruso, Administrator, Energy Information Administration, Department of Energy; Jeffrey Logan, International Energy Agency, Paris, France; and Andrew J. Slaughter, Shell Oil Company, and Frank A. Verrastro, Center for Strategic and International Studies, both of Washington, D.C.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

An original resolution (S. Res. 36) authorizing expenditures by the Committee; and S. 5, to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants.

SURVIVORS BENEFITS

Committee on Veterans' Affairs: Committee concluded a hearing to examine benefits for survivors of those killed in the line of duty, after receiving testimony from Daniel L. Cooper, Under Secretary of Veterans Affairs for Benefits; Mark L. Ward, Senior Policy Advisor, Casualty, Mortuary and Funeral Affairs Honors, and Thomas R. Tower, Assistant Director of Compensation, both of the Office of the Deputy Under Secretary of Defense; Frederick G. Streckewald, Assistant Deputy Commissioner of Social Security for Program Policy; Bonnie Carroll, Tragedy Assistance Program for Survivors, Washington, D.C.; Edith G. Smith, Gold Star Wives of America, Inc., Arlington, Virginia; Kathleen B. Moakler, National Military Family Association, Alexandria, Virginia; Tiffany Petty, Inkom, Idaho; and Jennifer McCollum, Orange Park, Florida.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

SOCIAL SECURITY REFORM

Special Committee on Aging: Committee concluded a hearing to examine current and future social security issues, focusing on possible changes to the Social Security system and implications for the program and the federal budget relating to the economy, after receiving testimony from Douglas Holtz-Eakin, Director, Congressional Budget Office; David M. Walker, Comptroller General, Government Accountability Office; David C. John, The Heritage Foundation Thomas A. Roe Institute for Economic Policy Studies, and John Rother, American Association of Retired Persons, both of Washington, D.C.; and Robert L. Bixby, The Concord Coalition, Arlington, Virginia.

House of Representatives

Chamber Action

The House was not in session today. The House will meet at 2 p.m. on Tuesday, February 8.

Committee Meetings

No committee meetings were held.

◆◆◆◆◆◆◆◆◆◆◆◆

Monday, February 7, 2005

Senate

Chamber Action

Routine Proceedings, pages 1550–1623

Measures Introduced: Eleven bills and five resolutions were introduced, as follows: S. 297–307, and S. Res. 38–42. **Page 1606**

Measure Passed:

Iraqi Election: By a unanimous vote of 93 yeas (Vote No. 4), Senate agreed to S. Res. 38, commending the people of Iraq on the January 30, 2005, national elections. **Page 1600**

Congratulating the New England Patriots: Senate agreed to S. Res. 41, congratulating the New England Patriots on their victory in Super Bowl XXXIX. **Page 1622**

Class Action Fairness Act—Agreement: Senate began consideration of S. 5, to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants. **Page 1554**

A unanimous-consent agreement was reached providing for further consideration of the bill at 10:30 a.m., on Tuesday, February 8, 2005. **Page 1622**

Messages from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, the Budget of the United States Government for Fiscal Year 2006; referred jointly, pursuant to the order of January 30, 1975 as modified by the order of April 11, 1986; which was referred to the Committees on the Budget; and Appropriations. (PM–3) **Page 1605**

Appointments:

Congressional-Executive Commission on the People's Republic of China: The Chair, on behalf of the President of the Senate, and after consultation with the Democratic Leader, pursuant to Public Law 106–286, appointed the following members to serve on the Congressional-Executive Commission on the People's Republic of China; Senators Baucus, Levin, Feinstein, and Dorgan. **Page 1622**

Nominations Received: Senate received the following nominations:

2 Navy nominations in the rank of admiral. **Page 1623**

Executive Communications: **Page 1606**

Executive Reports of Committees: **Page 1606**

Additional Cosponsors: **Page 1607**

Statements on Introduced Bills/Resolutions: **Page 1607**

Additional Statements: **Page 1604**

Notices of Hearings/Meetings: **Page 1621**

Authority for Committees to Meet: **Page 1621**

Privilege of the Floor: **Page 1622**

Record Votes: One record vote was taken today. (Total—4) **Page 1602**

Adjournment: Senate convened at 2 p.m., and adjourned at 6:15 p.m., until 9:30 a.m., on Tuesday, February 8, 2005. (For Senate's program, see the remarks of Acting Majority Leader in today's Record on page 1622.)

Committee Meetings

BUSINESS MEETING

Committee on Homeland Security and Governmental Affairs: Committee ordered favorably reported the nominations of Michael Chertoff, of New Jersey, to be Secretary of Homeland Security, and Allen Weinstein, of Maryland, to be Archivist of the United States.

House of Representatives

Chamber Action

The House was not in session today. The House will meet at 2 p.m. on Tuesday, February 8.

Committee Meetings

No committee meetings were held.

◆ ◆ ◆

Tuesday, February 8, 2005

Senate

Chamber Action

Routine Proceedings, pages 1626–1710

Measures Introduced: Sixteen bills and six resolutions were introduced, as follows: S. 308–323, S. Res. 43–46, and S. Con. Res. 10–11. **Page 1676**

Measures Passed:

Congratulating James Madison University Football Team: Senate agreed to S. Res. 45, commending the James Madison University Dukes football team for winning the 2004 NCAA Division I–AA National Football Championship. **Page 1704**

Honoring Zurab Zhvania: Senate agreed to S. Res. 46, commemorating the life of the late Zurab Zhvania, former Prime Minister of the Republic of Georgia. **Page 1705**

Class Action Fairness Act—Agreement: Senate continued consideration of S. 5, to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants, taking action on the following amendment proposed thereto: **Page 1635**

Pending:

Durbin (Modified) Amendment No. 3, to preserve State court procedures for handling mass actions. **Page 1670**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m., on Wednesday, February 9, 2005, and that Senator Pryor be recognized to offer an amendment. **Page 1706**

Appointments:

The National Council of the Arts: The Chair, on behalf of the Majority Leader, pursuant to Public Law 105–83, announced the appointment of the following individuals to serve as members of The National Council of the Arts:

Senators DeWine and Bennett. **Page 1704**

President's Export Council: The Chair, pursuant to Executive Order No. 12131, reappointed the following Member to the President's Export Council:

Senator Enzi. **Page 1704**

Board of Trustees of the John F. Kennedy Center for the Performing Arts: The Chair, on behalf of the President of the Senate, pursuant to Public Law 85–874, as amended, appointed Senator Cochran to the Board of Trustees of the John F. Kennedy Center for the Performing Arts, vice Senator Stevens. **Page 1704**

Nominations Received: Senate received the following nominations:

Brigadier General William T. Grisoli, United States Army, to be a Member of the Mississippi River Commission.

22 Marine Corps nominations in the rank of general.

Routine lists in the Air Force, Army, Foreign Service, Marine Corps, National Oceanic and Atmospheric Administration. **Page 1707**

Executive Communications: **Page 1675**

Additional Cosponsors: **Page 1677**

Statements on Introduced Bills/Resolutions: **Page 1677**

Additional Statements: **Page 1673**

Amendments Submitted: **Page 1704**

Notices of Hearings/Meetings: **Page 1704**

Authority for Committees to Meet: **Page 1704**

Privilege of the Floor: **Page 1704**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 6:32 p.m., until 9:30 a.m., on Wednesday, February 9, 2005. (For Senate's program, see the remarks of Acting Majority Leader in today's Record on page 1706.)

Committee Meetings

CREDIT RATING AGENCIES

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the role of credit rating agencies in capital markets, after receiving testimony from Kathleen A. Corbet, Standard and Poor's, The McGraw-Hill, Companies, Inc., Stephen W. Joynt, Fitch Ratings, and Raymond W. McDaniel, Jr., Moody's Investors Services, Inc., all of New York, New York; Yasuhiro Harada, Rating and Investment Information, Inc., Tokyo, Japan; Sean J. Egan, Egan-Jones Ratings Company, Haverford, Pennsylvania; Micah S. Green, The Bond Market Association, Washington, D.C.; and James A. Kaitz, Association for Financial Professionals, Bethesda, Maryland.

2006 BUDGET

Committee on the Budget: Committee held a hearing to examine the President's proposed budget for fiscal year 2006, receiving testimony from David M. Walker, Comptroller General of the United States, Government Accountability Office.

SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests concluded a hearing to examine the implementation of Titles I through III of P.L. 106–393, the Secure Rural Schools and Community Self-Determination Act of 2000, after receiving testimony from Mark Rey, Under Secretary of Agriculture for Natural Resources and the Environment; Ed Shepard, Assistant Director, Renewable Resources and Planning, Bureau of Land Management, Department of the Interior; James B. French, Trinity County Office of Education, Weaverville, California; Timothy Creal, Custer School District, Custer, South Dakota; Reta Griffith, Pocahontas County, Marlinton, West Virginia, on behalf of County Commissioners' Association of West Virginia, and Sherry Krulitz, Shoshone County, Wallace, Idaho, on behalf of the Idaho Association of Counties, both on behalf of the National Association of Counties; and Tim Lillebo, Oregon Natural Resources Council, Bend, Oregon.

BUDGET REVENUE PROPOSALS

Committee on Finance: Committee concluded a hearing to examine revenue proposals in the President's proposed budget for fiscal year 2006, after receiving testimony from John W. Snow, Secretary of the Treasury.

NIH BIODEFENSE RESEARCH PROGRAM

Committee on Health, Education, Labor, and Pensions: Subcommittee on Bioterrorism and Public Health Preparedness concluded a hearing to examine the biodefense research program of the National Institutes of Health, focusing on the development of medical countermeasures against a bioterrorist attack, after receiving testimony from Anthony S. Fauci, Director, National Institute of Allergy and Infectious Diseases, National Institutes of Health, Department of Health and Human Services; Penrose C. Albright, Assistant Secretary of Homeland Security for Science and Technology; Gerald L. Epstein, Center for Strategic and International Studies, Washington, D.C.; Gordon Cameron, Acambis, PLC, Cambridge, Massachusetts; Jon S. Abramson, Wake Forest University School of Medicine, Winston-Salem, North Carolina; and George Painter, Chimerix, Inc., La Jolla, California.

BUSINESS MEETING

Committee on Rules and Administration: Committee ordered favorably reported an original resolution authorizing expenditures by the Committee.

Also, committee adopted its rules of procedure for the 109th Congress.

House of Representatives

Chamber Action

Measures Introduced: 63 public bills, H.R. 609–670, 676; 7 private bills, H.R. 671–675, 677, 678; and; 9 resolutions, H. Con. Res. 46–49, and H. Res. 68–72 were introduced. **Page 1768**

Additional Cosponsors: **Page 1771**

Reports Filed: Reports were filed today as follows:

H. Res. 71, resolution providing for consideration of H.R. 418, to establish and rapidly implement regulations for State driver's license and identification document security standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, and to ensure expeditious construction of the San Diego Border fence (H. Rept. 109–3). **Page 1768**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Supporting the goals and ideals of National Mentoring Month: H. Res. 46, supporting the goals and ideals of National Mentoring Month, by a ⅔ yea-and-nay vote of 414 yeas with none voting "nay", Roll No. 20; **Pages 1713, 1724**

John Milton Bryan Simpson United States Courthouse Designation Act: H.R. 315, to designate the United States courthouse at 300 North Hogan Street, Jacksonville, Florida, as the "John Milton Bryan Simpson United States Courthouse", by a ⅔ yea-and-nay vote of 412 yeas with none voting "nay", Roll No. 21; and **Pages 1717, 1725**

Tony Hall Federal Building and United States Courthouse Designation Act: H.R. 548, to designate the Federal building and United States courthouse located at 200 West 2nd Street in Dayton, Ohio, as the "Tony Hall Federal Building and United States Courthouse", by a yea-and-nay vote of 404 yeas with none voting "nay", Roll No. 22. **Pages 1718, 1725**

Recess: The House recessed at 3:18 p.m. and reconvened at 6:30 p.m. **Pages 1724**

Committee Election: The House agreed to H. Res. 68, electing Representative Simpson to the Committee on the Budget. **Page 1726**

Presidential Message: Read a message from the President wherein he transmitted to Congress the Budget of the United States Government for Fiscal Year 2006—referred to the Committee on Appropriations and ordered printed (H. Doc. 109–2). **Page 1712**

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings today and appear on pages 1724–26. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 11:40 p.m.

Committee Meetings

PRESIDENT'S BUDGET FISCAL YEAR 2006

Committee on the Budget: Held a hearing on the President's Budget for Fiscal Year 2006. Testimony was heard from Joshua B. Bolten, Director, OMB.

REAL ID ACT OF 2005

Committee on Rules: Granted, by voice vote, a rule providing one hour and 40 minutes of general debate on H.R. 418, Real ID Act of 2005, with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Government Reform and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Homeland Security. The rule waives all points of order against consideration of the bill. The rule provides that after general debate the Committee of the Whole shall rise without motion and no further consideration of the bill shall be in order except by a subsequent order of the House. Testimony was heard from Chairman Sensenbrenner, Representatives Kolbe, Jackson-Lee, Nadler, Meek and Farr. Prior to this action the Committee met for organizational purposes.

PRESIDENT'S BUDGET FISCAL YEAR 2006

Committee on Ways and Means: Held a hearing on the President's Budget for Fiscal Year 2006. Testimony was heard from John W. Snow, Secretary of the Treasury.

Hearings continue tomorrow.

◆◆◆◆◆◆◆◆◆◆◆◆

Wednesday, February 9, 2005

Senate

Chamber Action

Routine Proceedings, pages 1796–1868

Measures Introduced: Seventeen bills were introduced, as follows: S. 324–340. **Page 1847**

Class Action Fairness Act Agreement: Senate continued consideration of S. 5, to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants, taking action on the following amendments proposed thereto: **Pages 1797, 1804**

Rejected:

Pryor Amendment No. 5, to exempt class action lawsuits brought by the attorney general of any State from the modified civil procedures required by this Act. (By 60 yeas to 39 nays (Vote No. 5), Senate tabled the amendment.) **Page 1804**

By 40 yeas to 59 nays (Vote No. 6), Kennedy Amendment No. 2, to amend the definition of class action in title 28, United States Code, to exclude class actions relating to civil rights of the payment of wages. **Pages 1813, 1828**

By 38 yeas to 61 nays (Vote No. 7), Feinstein/Bingaman Amendment No. 4, to clarify the application of State law in certain class actions. **Pages 1813, 1832**

Pending:

Durbin (Modified) Amendment No. 3, to preserve State court procedures for handling mass actions. **Page 1804**

Feingold Amendment No. 12, to establish time limits for action by Federal district courts on motions to remand cases that have been removed to Federal court. **Page 1832**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 11:30 a.m., on Thursday, February 10, 2005. **Page 1867**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report concerning the plan for securing nuclear weapons, material, and expertise of the states of the former Soviet Union; which was referred to the Committee on Armed Services. (PM–4) **Page 1846**

Appointments:

Board of Regents of the Smithsonian Institution: The Chair, on behalf of the Vice President, pursuant to the provisions of 20 U.S.C., sections 42 and 43, appointed Senator Leahy as a member of the Board of Regents of the Smithsonian Institution. **Page 1867**

Senate National Security Working Group: The Chair announced, on behalf of the Democratic Leader, pursuant to the provisions of S. Res. 105 (adopted April 13, 1989), as amended by S. Res. 149 (adopted October 5, 1993), as amended by Public Law 105–275 (adopted October 21, 1998), further amended by S. Res. 75 (adopted March 25, 1999), amended by S. Res. 383 (adopted October 27, 2000), and amended by S. Res. 355 (adopted November 13, 2002), and further amended by S. Res. 480 (adopted November 20, 2004), the appointment of the following Senators to serve as members of the Senate National Security Working Group for the 109th Congress: Senators Byrd (Democratic Administrative Co-Chairman), Levin (Democratic Co-Chairman), Biden (Democratic Co-Chairman), Kennedy, Sarbanes, Dorgan, Durbin, Nelson (FL) and Dayton. **Page 1867**

Nominations Received: Senate received the following nominations:

2 Air Force nominations in the rank of general. **Page 1868**

Messages From the House: Page 1846

Measures Referred: Page 1846

Executive Communications: Page 1846

Additional Cosponsors: Page 1847

Statements on Introduced Bills/Resolutions: Page 1848

Additional Statements: Page 1844

Amendments Submitted: Page 1864

Notices of Hearings/Meetings: Page 1866

Authority for Committees to Meet: Page 1866

Privilege of the Floor: Page 1867

Record Votes: Three record votes were taken today. (Total—7) **Pages 1812, 1832**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 5:58 p.m., until 9:30 a.m., on Thursday, February 10, 2005. (For Senate's program, see the remarks of Majority Leader in today's Record on page 1868.)

Committee Meetings

2006 BUDGET

Committee on the Budget: Committee held a hearing to examine the President's proposed budget for fiscal year 2006, receiving testimony from Joshua B. Bolten, Director, Office of Management and Budget.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported the following bills:

S. 47, to provide for the exchange of certain Federal land in the Santa Fe National Forest; and certain non-Federal land in the Pecos National Historical Park in the State of New Mexico;

S. 63, to establish the Northern Rio Grande National Heritage Area in the State of New Mexico, with an amendment;

S. 74, to designate a portion of the White Salmon River as a component of the National Wild and Scenic Rivers System;

S. 134, to adjust the boundary of Redwood National Park in the State of California;

S. 153, to direct the Secretary of the Interior to conduct a resource study of the Rim of the Valley Corridor in the State of California to evaluate alternatives for protecting the resources of the Corridor;

S. 156, to designate the Ojito Wilderness Study Area as wilderness, to take certain land into trust for the Pueblo of Zia, with an amendment;

S. 163, to establish the National Mormon Pioneer Heritage Area in the State of Utah, with an amendment;

S. 176, to extend the deadline for commencement of construction of a hydroelectric project in the State of Alaska;

S. 177, to further the purposes of the Reclamation Projects Authorization and Adjustment Act of 1992 by directing the Secretary of the Interior, acting through the Commissioner of Reclamation, to carry out an assessment and demonstration program to control salt cedar and Russian olive;

S. 178, to provide assistance to the State of New Mexico for the development of comprehensive State water plans;

S. 200, to establish the Arabia Mountain National Heritage Area in the State of Georgia, with an amendment;

S. 203, to reduce temporarily the royalty required to be paid for sodium produced on Federal lands;

S. 204, to establish the Atchafalaya National Heritage Area in the State of Louisiana;

S. 205, to authorize the American Battle Monuments Commission to establish in the State of Louisiana a memorial to honor the Buffalo Soldiers;

S. 207, to adjust the boundary of the Barataria Preserve Unit of the Jean Lafitte National Historical Park and Preserve in the State of Louisiana;

S. 212, to amend the Valles Caldera Preservation Act to improve the preservation of the Valles Caldera;

S. 214, to authorize the Secretary of the Interior to cooperate with the States on the border with Mexico and other appropriate entities in conducting a hydrogeologic characterization, mapping, and modeling program for priority transboundary aquifers;

S. 225, to direct the Secretary of the Interior to undertake a program to reduce the risks from and mitigate the effects of avalanches on recreational users of public land, with an amendment in the nature of a substitute;

S. 229, to clear title to certain real property in New Mexico associated with the Middle Rio Grande Project;

S. 231, to authorize the Bureau of Reclamation to participate in the rehabilitation of the Wallowa Lake Dam in Oregon;

S. 232, to authorize the Secretary of the Interior, acting through the Bureau of Reclamation, to assist in the implementation of fish passage and screening facilities at non-Federal water projects;

S. 243, to establish a program and criteria for National Heritage Areas in the United States;

S. 244, to extend the deadline for commencement of construction of a hydroelectric project in the State of Wyoming;

S. 249, to establish the Great Basin National Heritage Route in the States of Nevada and Utah;

S. 252, to direct the Secretary of the Interior to convey certain land in Washoe County, Nevada, to the Board of Regents of the University and Community College System of Nevada;

S. 253, to direct the Secretary of the Interior to convey certain land to the land to the Edward H. McDaniel American Legion Post No. 22 in Pahrump, Nevada, for the construction of a post building and memorial park for use by the American Legion, other veterans' groups, and the local community, with an amendment;

S. 254, to direct the Secretary of the Interior to convey certain land to Lander County, Nevada, and the Secretary of the Interior to convey certain land to Eureka County, Nevada, for continued use as cemeteries;

S. 263, to provide for the protection of paleontological resources on Federal lands, with an amendment; and

S. 264, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize certain projects in the State of Hawaii.

BUDGET: EPA

Committee on Environment and Public Works: Committee concluded a hearing to examine the President's proposed budget for fiscal year 2006 for the Environmental Protection Agency, after receiving testimony from Stephen L. Johnson, Acting Administrator, Environmental Protection Agency.

SIX POWER TALKS

Committee on Foreign Relations: Committee met in closed session to receive a briefing of an update on six-party talks from Joseph DeTrani, Special Envoy to the Six Power Talks.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported the following business items:

S. 265, to amend the Public Health Service Act to add requirements regarding trauma care;

S. 306, to prohibit discrimination on the basis of genetic information with respect to health insurance and employment;

S. 302, to make improvements in the Foundation for the National Institutes of Health;

S. 285, to reauthorize the Children's Hospitals Graduate Medical Education Program;

S. 288, to extend Federal funding for operation of State high risk health insurance pools; and

The nominations of A. Wilson Greene, of Virginia, to be a Member of the National Museum and Library Services Board, Katina P. Strauch, of South Carolina, to be a Member of the National Museum and Library Services Board, and Edward L. Flippen, of Virginia, to be Inspector General, Corporation for National and Community Services.

BUSINESS MEETING

Committee on Rules and Administration: Committee ordered favorably reported an original resolution authorizing expenditures by all committees of the Senate.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Measures Introduced: 60 public bills, H.R. 3, 679–737; 1 private bill, H.R. 738; and 11 resolutions, H.J. Res. 17; H. Con. Res. 50–52, and H. Res. 76–83, were introduced. **Page 1977**

Additional Cosponsors: **Page 1981**

Reports Filed: Reports were filed today as follows:

H. Res. 75, providing for further consideration of H.R. 418, to establish and rapidly implement regulations for State driver's license and identification document security standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, and to ensure expeditious construction of the San Diego border fence (H. Rept. 109–4). **Page 1977**

Speaker: Read a letter from the Speaker wherein he appointed Representative Emerson to act as Speaker pro tempore for today. **Page 1869**

Chaplain: The prayer was offered by Rev. David F. Allen, Pastor, Welcome Baptist Church in Beckley, West Virginia. **Page 1869**

Committee Resignation: Read a letter from Representative Pearce wherein he resigned from the Committee on Transportation and Infrastructure, effective immediately. **Page 1871**

Committee Resignation: Read a letter from Representative Harris wherein she resigned from the Committee on Government Reform, effective immediately. **Page 1871**

Committee Elections: The House agreed to H. Res. 73, electing the following members to the Committee on Homeland Security, with previously elected members restated for the purpose of ranking: Representatives Young (AL), Smith (TX), Weldon (PA), Shays, King (NY), Linder, Souder, Tom Davis (VA), Lungren, Gibbons, Simmons, Rogers (AL), Pearce, Harris, Jindahl, Reichert, McCaul, and Dent. **Page 1871**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Sense of the House that the Department of Defense should continue to support the activities of the Boy Scouts of America: H. Con. Res. 6, expressing the sense of the Congress that the Department of Defense should continue to exercise its statutory authority to support the activities of the Boy Scouts of America, in particular the periodic national and world Boy Scout Jamborees, by a $\frac{2}{3}$ yea-and-nay vote of 418 yeas to 7 nays, Roll No. 24; **Pages 1871, 1935**

Honoring the Tuskegee Airmen for their bravery in World War II: H. Con. Res. 26, honoring the Tuskegee Airmen for their bravery in fighting for our freedom in World War II, and for their contribution in creating an integrated United States Air Force, by a $\frac{2}{3}$ yea-and-nay vote of 423 yeas with none voting "nay", Roll No. 25; **Pages 1874, 1936**

Supporting the goals and ideals of National Black HIV/AIDS Awareness Day: H. Con. Res. 30, amended, supporting the goals and ideals of National Black HIV/AIDS Awareness Day, by a $\frac{2}{3}$ yea-and-nay vote of 422 yeas with none voting "nay", Roll No. 26; and **Pages 1883, 1936**

Honoring the life and accomplishments of the late Ossie Davis: H. Res. 69, honoring the life and accomplishments of the late Ossie Davis. **Page 1926**

Committee Election: The House agreed to H. Res. 74, electing the following Members and Delegates to certain standing committees:

Committee on the Budget: Representative Schwartz (PA). **Page 1874**

Committee on the Judiciary: Representatives Smith (WA) and VanHollen. **Page 1874**

Committee on Homeland Security: Representatives Loretta Sanchez (CA), Markey, Dicks, Harman, DeFazio, Lowey, Norton, Zoe Lofgren (CA), Jackson-Lee (TX), Pascrell, Christensen, Etheridge, Langevin, and Meek (FL). **Page 1874**

Committee on Standards of Official Conduct: Representatives Jones (OH), Gene Green (TX), Roybal-Allard, and Doyle. **Page 1874**

Committee Resignation: Read a letter from Representative Simmons wherein he resigned from the Committee on Veterans' Affairs. **Page 1891**

REAL ID Act of 2005: The House began consideration of H.R. 418, to establish and rapidly implement regulations for State driver's license and identification document security standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, and to ensure expeditious construction of the San Diego border fence. Further consideration of the bill will resume tomorrow, February 10. **Pages 1907, 1937**

H. Res. 71, the rule providing for consideration of the bill was agreed to by voice vote. **Page 1891**

A point of order was raised against the consideration of the resolution and it was agreed to proceed with consideration by a yea-and-nay vote of 228 yeas to 191 nays, Roll No. 23. **Page 1891**

Presidential Message: Read a message from the President wherein he transmitted a report on implementation during 2003 of the plan for securing nuclear weapons, material, and expertise of the states of the former Soviet Union—referred to the Committee on International Relations. **Page 1907**

Quorum Calls—Votes: Four yea-and-nay votes developed during the proceedings today and appear on pages 1895 and 1935–37. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 9:38 p.m.

Committee Meetings

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST FISCAL YEAR 2006

Committee on Armed Services: Held a hearing on the Fiscal Year 2006 National Defense Authorization budget request. Testimony was heard from the following officials of the Department of the Army: Francis J. Harvey, Secretary; and GEN Peter J. Schoomaker, USA, Chief of Staff.

Hearings continue February 16.

SOCIAL SECURITY; DEFINING THE PROBLEM

Committee on the Budget: Held a hearing on Social Security: Defining the Problem. Testimony was heard from John W. Snow, Secretary of the Treasury; David M. Walker, Comptroller General, GAO; Douglas J. Holtz-Eakin, Director, CBO; and a public witness.

JOB TRAINING IMPROVEMENT ACT

Committee on Education and the Workforce: Subcommittee on 21st Century Competitiveness approved for full Committee action, as amended, H.R. 27, Job Training Improvement Act of 2005.

BROADCAST DECENCY ENFORCEMENT ACT; OVERSIGHT PLAN

Committee on Energy and Commerce: Ordered reported H.R. 310, Broadcast Decency Enforcement Act 2005.

The Committee approved an Oversight plan for the 109th Congress.

DOE'S FISCAL YEAR 2006 BUDGET PROPOSAL AND THE ENERGY POLICY ACT OF 2005

Committee on Energy and Commerce: Held a hearing entitled "Department of Energy's Fiscal Year 2006 Budget Proposal and the Energy Policy Act of 2005: Ensuring Jobs for Our Future with Secure and Reliable Energy." Testimony was heard from Samuel W. Bodman, Secretary of Energy.

INTERNET PROTOCOL-ENABLED SERVICES—CHANGING FACE OF COMMUNICATIONS

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held a hearing entitled

"How Internet Protocol-Enabled Services are Changing the Face of Communications: A View from Technology Companies." Testimony was heard from public witnesses.

FANNIE MAE ACCOUNTING IRREGULARITIES—IMPACT ON INVESTORS

Committee on Financial Services: Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises held a hearing entitled "Accounting Irregularities at Fannie Mae and the Impact on Investors." Testimony was heard from Donald T. Nicolaisen, Chief Accountant, SEC.

MISCELLANEOUS MEASURES; COMMITTEE ORGANIZATION; OVERSIGHT PLAN

Committee on Government Reform: Ordered reported the following measures: H.R. 324, To designate the facility of the United States Postal Service. Located at 321 Montgomery Road in Altamonte Springs, Florida, as the "Arthur Stacey Mastrapa Post Office Building"; and H. Con. Res. 25, Recognizing the contributions of Jibreel Khazan (Ezell Blair, Jr.), David Richmond, Joseph McNeil, and Franklin McCain, known as the "Greensboro Four," to the civil rights movement.

Prior to this action, the Committee met for organizational purposes.

The Committee approved an Oversight Plan for the 109th Congress.

U.S. GOVERNMENT FINANCIAL REPORT FISCAL YEAR 2004

Committee on Government Reform: Subcommittee on Government Management, Finance, and Accountability held a hearing entitled "Financial Report of the United States Government for Fiscal Year 2004." Testimony was heard from David M. Walker, Comptroller, GAO; Jack Martin, Chief Financial Officer, Department of Education; and Donald V. Hammond, Fiscal Assistant Secretary, Department of the Treasury.

COMMITTEE ORGANIZATION; OVERSIGHT PLAN

Committee on Homeland Security: Met for organizational purposes.

The Committee approved an Oversight Plan for the 109th Congress.

HELP AMERICA VOTE ACT IMPLEMENTATION; COMMITTEE ORGANIZATION; OVERSIGHT PLAN

Committee on House Administration: Held a hearing on Implementation of the Help America Vote Act. Testimony was heard from the following officials of the Election Assistance Commission: Gracia Hillman, Chair; and Paul DeGregorio, Vice Chair; Rebecca Vigil-Giron, Secretary of State, New Mexico; Ron Thornburgh, Secretary of State, Kansas; Todd Rokita, Secretary of State, Indiana; and Chet Culver, Secretary of State/Commissioner of Elections, Iowa.

Prior to this action, the Committee met for organizational purposes.

The Committee approved an Oversight Plan for the 109th Congress.

COMMITTEE ORGANIZATION

Committee on International Relations: Met for organizational purposes.

The Committee approved an Oversight Plan for the 109th Congress.

VOLCKER INTERIM REPORT—U.N. OIL-FOR-FOOD PROGRAM

Committee on International Relations: Subcommittee on Oversight and Investigations held a hearing on The Volcker Interim Report on the United Nations Oil-for-Food Program. Testimony was heard from public witnesses.

REAL ID ACT OF 2005

Committee on Rules: Granted, by voice vote, a rule providing for further consideration of H.R. 418, REAL ID Act of 2005, under a structured rule. The rule provides that no further general debate shall be in order. The rule provides that the amendment printed in Part A of the Rules Committee report accompanying the resolution shall be considered as adopted in the House and in the Committee of the Whole. The rule provides that the bill, as amended, shall be considered as the original bill for the purpose of further amendment and shall be considered as read. The rule makes in order only those amendments printed in Part B of the report. The rule provides that the amendments printed in Part B of the report may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in Part B of the report. Finally, the rule provides one motion to recommit with or without instructions.

NATION'S ENERGY SECURITY

Committee on Science: Held a hearing on Improving the Nation's Energy Security: Can Cars and Trucks Be Made More Fuel Efficient? Testimony was heard from Paul Portney, Chairman, Committee on Effectiveness and Impact of Corporate Fuel Economy (CAFÉ) Standards, National Academy of Sciences; and public witnesses.

OVERSIGHT—COMMERCIAL SPACE TRANSPORTATION

Committee on Transportation and Infrastructure: Subcommittee on Aviation held an oversight hearing on Commercial Space Transportation: Beyond the X Prize. Testimony was heard from Representative Boehlert; Marion C. Blakey, Administrator, FAA, Department of Transportation; and public witnesses.

PRESIDENT'S BUDGET FISCAL YEAR 2005

Committee on Ways and Means: Continued hearings on the President's Budget for Fiscal Year 2006. Testimony was heard from Joshua Bolten, Director, OMB.

COMMITTEE ORGANIZATION

Committee on Ways and Means: Subcommittee on Select Revenue Measures met for organizational purposes.

COMMITTEE ORGANIZATION

Committee on Ways and Means: Subcommittee on Social Security met for organizational purposes.

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Thursday, February 10, 2005

Senate

Chamber Action

Routine Proceedings, pages 2065–2161

Measures Introduced: Twenty-eight bills and three resolutions were introduced, as follows: S. 341–368, S. J. Res. 3, and S. Res. 47–48. **Page 2107**

Measures Reported:

S. 288, to extend Federal funding for operation of State high risk health insurance pools, with an amendment in the nature of a substitute.

S. 306, to prohibit discrimination on the basis of genetic information with respect to health insurance and employment, with an amendment in the nature of a substitute. **Page 2107**

Measures Passed:

Class Action Fairness Act: By 72 yeas to 26 nays (Vote No. 9), Senate passed S. 5, to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants, after taking action on the following amendments proposed thereto: **Page 2071**

Rejected:

By 37 yeas to 61 nays (Vote No. 8), Feingold Amendment No. 12, to establish time limits for action by Federal district courts on motions to remand cases that have been removed to Federal court. **Pages 2071, 2077**

Withdrawn:

Durbin (Modified) Amendment No. 3, to preserve State court procedures for handling mass actions. **Page 2071**

National School Counseling Week: Committee on the Judiciary was discharged from further consideration of S. Res. 37, designating the week of February 7 through February 11, 2005, as "National School Counseling Week", and the resolution was then agreed to. **Page 2159**

Nomination—Agreement: A unanimous-consent agreement was reached providing that at 12 noon on Monday, February 14, 2005, the Senate begin consideration of the nomination of Michael Chertoff, of New Jersey, to be Secretary of Homeland Security, and that the nomination be debated for up to 6 hours; that at 2:15 p.m., on Tuesday, February 15, 2005, Senate resume consideration of the nomination, that the time until 4 p.m, be equally divided for debate, and that at 4 p.m., the Senate then proceed to a vote on the nomination. **Page 2160**

Appointments:

United States Holocaust Memorial Council: The Chair, on behalf of the President pro tempore, and upon the recommendation of the Majority Leader, pursuant to Public Law 96–388, as amended by Public Law 97–84, and Public Law 106–292, appointed the following Senators to the United States Holocaust Memorial Council for the 109th Congress:

Senators Hatch, Collins, and Coleman. **Page 2160**

United States-China Economic Security Review Commission: The Chair, on behalf of the President pro tempore, pursuant to Public Law 106–398, as amended by Public Law 108–7, in accordance with the qualifications specified under section 1238(b)(3)(E) of Public Law 106–398, and upon the recommendation of the Majority Leader, in consultation with the chairmen of the Senate Committee on Armed Services and the Senate Committee on Finance, appointed the following individual to the United States-China Economic Security Review Commission:

Thomas Donnelly, of Maryland, for a term expiring December 31, 2006. **Page 2160**

Nominations Confirmed: Senate confirmed the following nomination:

Allen Weinstein, of Maryland, to be Archivist of the United States. **Pages 2160, 2161**

Nominations Received: Senate received the following nomination:

Robert B. Zoellick, of Virginia, to be Deputy Secretary of State. **Page 2161**

Executive Communications: **Page 2105**

Executive Reports of Committees: **Page 2107**

Additional Cosponsors: **Page 2108**

Statements on Introduced Bills/Resolutions: **Page 2109**

Additional Statements: Page 2104

Authority for Committees to Meet: Page 2159

Privilege of the Floor: Page 2159

Record Votes: Two record votes were taken today. (Total—9) Pages 2078, 2096

Adjournment: Senate convened at 9:30 a.m., and adjourned at 4:57 p.m., until 12 noon, on Monday, February 14, 2005. (For Senate's program, see the remarks of Majority Leader in today's Record on page 2160.)

Committee Meetings

BUDGET: DEFENSE AUTHORIZATION REQUEST

Committee on Armed Services: Committee concluded a hearing to examine the proposed Defense Authorization Request for Fiscal Year 2006 and the Future Years Defense Program, after receiving testimony from General Peter J. Schoomaker, USA, Chief of Staff, United States Army; Admiral Vernon E. Clark, USN, Chief of Naval Operations; General Michael W. Hagee, USMC, Commandant of the Marine Corps; and General John P. Jumper, USAF, Chief of Staff, United States Air Force.

MORTGAGE MARKET

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the role of government-sponsored enterprises in the mortgage market, focusing on promoting affordable housing and homeownership opportunities for low- and moderate-income Americans, after receiving testimony from John C. Weicher, Assistant Secretary of Housing and Urban Development, Federal Housing Commissioner; Allen J. Fishbein, Consumer Federation of America, and Richard K. Green, George Washington University School of Business, both of Washington, D.C.; Anthony B. Sanders, The Ohio State University Fisher College of Business, Columbus; and Susan M. Wachter, University of Pennsylvania Wharton School, Philadelphia.

2006 BUDGET

Committee on the Budget: Committee held a hearing to examine the President's proposed budget for fiscal year 2006, after receiving testimony from John W. Snow, Secretary of the Treasury.

TSUNAMI RESPONSE

Committee on Foreign Relations: Committee concluded a hearing to examine lessons learned regarding the tsunami response, focusing on inquiries from American citizens, coordinating government-wide mechanisms, and engaging the international community, after receiving testimony from Senator Frist; Alan Larson, Under Secretary of State for Economic, Business, and Agricultural Affairs; Paul Wolfowitz, Deputy Secretary of Defense; Andrew S. Natsios, Administrator, U.S. Agency for International Development; Daniel Toole, United Nations Children's Fund (UNICEF), New York, New York; and Mary E. McClymont, InterAction, and Nancy Lindborg, Mercy Corps, both of Washington, D.C.

NEW HUMAN RESOURCES SYSTEM

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce and the District of Columbia concluded a hearing to examine the new human resources system of the Department of Homeland Security, focusing on unlocking the potential of employees, pay and performance management, adverse actions and appeals, and labor-management relations, after receiving testimony from David M. Walker, Comptroller General of the United States, Government Accountability Office; Ronald J. James, Chief Human Capital Officer, Department of Homeland Security; Ronald P. Sanders, Associate Director for Strategic Human Resources Policy, Office of Personnel Management; and Darryl A. Perkinson, Federal Managers Association, Colleen M. Kelley, National Treasury Employees Union, John Gage, American Federation of Government Employees, AFL–CIO, Richard N. Brown, National Federation of Federal Employees, and Kim Mann, National Association of Agriculture Employees, all of Washington, D.C.

BANKRUPTCY REFORM

Committee on the Judiciary: Committee concluded a hearing to examine bankruptcy reform, focusing on S. 256, to amend title 11 of the United States Code, after receiving testimony from Kenneth H. Beine, Shoreline Credit Union, Two Rivers, Wisconsin, on behalf of the Credit Union National Association; Maria T. Vullo, Paul, Weiss, Rifkind, Wharton and Garrison, LLP, New York, New York; Malcolm Bennett, International Realty and Investments, Inc., Los Angeles, California, on behalf of National Multi Housing Council and National Apartment Association; Phillip L. Strauss, National Child Support Enforcement Association, San Francisco, California; David McCall, United Steelworkers of America, AFL–CIO, Columbus, Ohio; R. Michael Stewart Menzies, Sr., Easton Bank and Trust Company, Easton, Maryland, on behalf of the Independent Community Bankers of America; Elizabeth Warren, Harvard Law School, Cambridge, Massachusetts; and Todd J. Zywicki, Georgetown University Law Center, Washington, D.C.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

House of Representatives

Chamber Action

Measures Introduced: 50 public bills, H.R. 739–788; 1 private bill, H.R. 789; and 7 resolutions, H. Con. Res. 53–56, and H. Res. 84–86, were introduced. **Page 2060**

Additional Cosponsors: **Page 2063**

Reports Filed: No reports were filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Fossella to act as Speaker pro tempore for today. **Page 2000**

REAL ID Act of 2005: The House passed H.R. 418, to establish and rapidly implement regulations for State driver's license and identification document security standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, and to ensure expeditious construction of the San Diego border fence, by a yea-and-nay vote of 261 yeas to 161 nays, Roll No. 31. The measure was also considered yesterday, February 9. **Page 2011**

According to the provisions of H. Res. 75, the manager's amendment (printed in part A of H. Rept. 109–4) was adopted and considered as the original bill for the purpose of amendment. **Page 2002**

Rejected the Reyes motion to recommit the bill to the Committee on the Judiciary with instructions to report the bill back to the House forthwith with an amendment, by a recorded vote of 195 ayes to 229 noes, Roll No. 30. **Page 2043**

Agreed to:

Sessions amendment (No. 1 printed in part B of H. Rept. 109–4) that promotes the goal of 100 percent repatriation of all aliens ordered deported by clarifying obligations under the Department of Homeland Security's existing delivery bond authority; **Page 2015**

Castle amendment (No. 2 printed in part B of H. Rept. 109–4) that requires the Secretary of Homeland Security to enter into the appropriate aviation security screening database the appropriate background information of any person convicted of using a false drivers' license for the purpose of boarding an airplane; and **Page 2019**

Kolbe amendment (No. 3 printed in part B of H. Rept. 109–4) that adds a Title III to the bill regarding Vulnerability and Threat Assessment, Ground Surveillance Pilot Program, Enhancement of Border Communications Integration and Information Sharing, and adds the Judiciary Committee to the reporting requirements and removes references to the "Select" Committee on Homeland Security. **Page 2021**

Rejected:

Nadler amendment (No. 4 printed in H. Rept. 109–4), that sought to strike section 101 of the bill regarding preventing terrorists from obtaining asylum (by a recorded vote of 185 ayes to 236 noes, Roll No. 28) (Earlier, objection was heard on the unanimous consent request to modify the amendment); **Pages 2024, 2034**

Farr amendment (No. 5 printed in H. Rept. 109–4) that sought to strike section 102 regarding the waiver of laws necessary for improvements of barriers at borders (by a recorded vote of 179 ayes to 243 noes, Roll No. 29). **Pages 2028, 2034**

H. Res. 75, the rule providing for further consideration of the bill was agreed to by a yea-and-nay vote of 228 yeas to 198 nays, Roll No. 27. **Page 2002**

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at noon on Monday, February 14; and further that when it adjourn on that day, it adjourn to meet at 12:30 p.m. on Tuesday, February 15 for morning hour debate. **Page 2046**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, February 16. **Page 2046**

United States Group of the North Atlantic Assembly appointment: The Chair announced the Speaker's appointment of the following Members to the United States Group of the North Atlantic Assembly: Representative Hefley, Chairman; Representative Burton, Vice Chairman; and Representatives Regula, Gillmor, Ehlers, Bilirakis, Shimkus, and Reynolds. **Page 2054**

Quorum Calls—Votes: Two yea-and nay-votes and three recorded votes developed during the proceedings today and appear on pages 2010, 2034–35, and 2044–45. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 3:17 p.m.

Committee Meetings

ENERGY POLICY ACT OF 2005

Committee on Energy and Commerce: Subcommittee on Energy and Air Quality held a hearing entitled "The Energy Policy Act of 2005: Ensuring Jobs for Our Future with Secure and Reliable Energy." Testimony was heard from the following officials of the Department of Energy: David K. Garman, Assistant Secretary, Office of Energy Efficiency and Renewable Energy; Cynthia Marlette, General Counsel, Federal Energy Regulatory Commission, and Guy F. Caruso, Administrator, Energy Information Administration; Luis Reyes, Executive Director, Operations, NRC; and public witnesses.

MEDICAL LIABILITY REFORM

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled "Current Issues Related to Medical Liability Reform." Testimony was heard from Jose Montemayor, Commissioner of Insurance, Department of Insurance, State of Texas; and public witnesses.

FLU SHOT SUPPLY—PERPLEXING SHIFT FROM SHORTAGE TO SURPLUS

Committee on Government Reform: Held a hearing entitled "The Perplexing Shift from Shortage to Surplus: Managing This Season's Flu Shot Supply and Preparing for the Future." Testimony was heard from the following officials of the Department of Health and Human Services: Julie L. Gerberding, M.D., Director, Centers for Disease Control and Prevention; and Jesse L. Goodman, M.D., Director, Center for Biologics Evaluation and Research, FDA; Robert B. Stroube, M.D., Commissioner, Department of Health, State of Virginia; and public witnesses.

FISCAL YEAR 2006 DRUG BUDGET

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing entitled "Fiscal Year 2006 Drug Budget." Testimony was heard from John P. Walters, Director, Office of National Drug Control Policy; and a public witness.

PROPOSED BUDGET—TERRORISM PREPAREDNESS FOR FIRST RESPONDERS

Committee on Homeland Security: Held a hearing entitled "The Proposed Fiscal Year 2006 Budget: Enhancing Terrorism Preparedness for First Responders." Testimony was heard from the following officials of the Department of Homeland Security: Penrose Albright, Assistant Secretary, Science and Technology Directorate; and Matt A. Mayer, Acting Executive Director, Office of State and Local Government Coordination and Preparedness; and Dennis Reimer, Director, National Memorial Institute for the Prevention of Terrorism.

BRIEFING—MIDDLE EAST PROCESS

Committee on International Relations: Held a hearing on The Way Forward in the Middle East Peace Process. Testimony was heard from former Secretary of State Henry A. Kissinger; and public witnesses.

OVERSIGHT—FEDERAL SENTENCING GUIDELINES—BOOKER/FANFAN DECISIONS IMPLICATIONS

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held an oversight hearing on the Implications of the Booker/Fanfan Decisions for the Federal Sentencing Guidelines. Testimony was heard from Christopher A. Wray, Assistant Attorney General, Department of Justice; Ricardo H. Hinojosa, Chairman, United States Sentencing Commission; and public witnesses.

INDIAN TRIBE RECOGNITION

Committee on Resources: Held a hearing on H.R. 512, to require the prompt review by the Secretary of the Interior of the longstanding petitions for Federal recognition of certain Indian tribes. Testimony was heard from Michael Olsen, Acting Deputy Assistant Secretary, Indian Affairs, Department of the Interior; Robin M. Nazzaro, Director, Natural Resources and Environment, GAO; and public witnesses.

OVERSIGHT—FEDERAL POWER GENERATION

Committee on Resources: Subcommittee on Water and Power held an oversight hearing entitled "Opportunities and Challenges on Enhancing Federal Power Generation and Transmission." Testimony was heard from public witnesses.

ENERGY RESEARCH, DEVELOPMENT, DEMONSTRATION, AND COMMERCIAL APPLICATION ACT; COMMITTEE ORGANIZATION

Committee on Science: Ordered reported, as amended, H.R. 610, Energy Research, Development, Demonstration, and Commercial Application Act of 2005.

Prior to this action, the Committee met for organizational purposes.

PRESIDENT'S FISCAL YEAR BUDGET REQUEST—IMPACT UPON SMALL BUSINESS; COMMITTEE ORGANIZATION; OVERSIGHT PLAN

Committee on Small Business: Held a hearing on the President's Fiscal Year 2006 Budget Request impact upon small business. Testimony was heard from Hector V. Barreto, Administrator, SBA; and public witnesses.

Prior to the hearing, the Committee met for organizational purposes.

The Committee approved an Oversight Plan for the 109th Congress.

COMMITTEE ORGANIZATION

Committee on Transportation and Infrastructure: Subcommittee on Highways, Transit, and Pipelines met for organizational purposes.

COMMITTEE ORGANIZATION; OVERSIGHT PLAN

Committee on Veterans' Affairs: Met for organizational purposes.

The Committee approved an Oversight Plan for the 109th Congress.

MEDICARE PAYMENTS TO PHYSICIANS

Committee on Ways and Means: Subcommittee on Health held a hearing on Medicare Payments to Physicians. Testimony was heard from Bruce Steinwald, Director, Health Care Economic and Payment Issues, GAO; Glenn M. Hackbarth, Chairman, Medicare Payment Advisory Commission; and public witnesses.

WELFARE REFORM REAUTHORIZATION PROPOSALS; COMMITTEE ORGANIZATION

Committee on Ways and Means: Subcommittee on Human Resources held a hearing on Welfare Reform Reauthorization proposals. Testimony was heard from Representative Woolsey; Wade F. Horn, Assistant Secretary, Administration for Children and Families, Department of Health and Human Services; Kevin M. McGuire, Executive Director, Family Investment Administration, Department of Human Resources, State of Maryland; David Hansell, Chief of Staff, Human Resources Administration, Department of Social Services, New York City; and public witnesses.

Prior to this action, the Subcommittee met for organizational purposes.

COMMITTEE ORGANIZATION

Committee on Ways and Means: Subcommittee on Oversight met for organizational purposes.

BRIEFING—GLOBAL UPDATES

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on Global Updates. The Committee was briefed by departmental witnesses.

SECURITY CLEARANCE PROCESS

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on Security Clearance Process. Testimony was heard from departmental witnesses.

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Monday, February 14, 2005

Senate

Chamber Action

Routine Proceedings, pages 2180–2230

Measures Introduced: Six bills and seven resolutions were introduced, as follows: S. 369–374, S.J. Res. 4, S. Res. 49–54. **Page 2214**

Measures Reported:

S. Res. 49, authorizing expenditures by the Committee on Rules and Administration.

S. Res. 50, authorizing expenditures by committees of the Senate for the periods March 1, 2005, through September 30, 2005, October 1, 2005, through September 30, 2006, and October 1, 2006, through February 28, 2007. **Page 2214**

Measures Passed:

Honoring the Work of Dashiell Hammett: Senate agreed to S. Res. 51, recognizing the importance of the writings of Dashiell Hammett to American literature and culture on the 75th anniversary of the first publication of "The Maltese Falcon". **Pages 2226, 2228**

Honoring Shirley Chisholm: Senate agreed to S. Res. 52, honoring Shirley Chisholm for her service to the Nation and expressing condolences to her family, friends, and supporters on her death. **Pages 2226, 2228**

Nomination: Senate began consideration of the nomination of Michael Chertoff, of New Jersey, to be Secretary of Homeland Security. **Page 2181**

A unanimous-consent agreement was reached providing that at 2:15 p.m., Senate resume consideration of the nomination, that the time until 4 p.m. be equally divided, and that the Senate then vote on confirmation of the nomination. **Page 2180**

Nominations Confirmed: Senate confirmed the following nominations:

A. Wilson Greene, of Virginia, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2009.

Katina P. Strauch, of South Carolina, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2009. **Pages 2228, 2230**

Nominations Received: Senate received the following nominations:

Gregory B. Jaczko, of the District of Columbia, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2008.

Peter B. Lyons, of Virginia, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2009.

Adolfo A. Franco, of Virginia, to be a Member of the Board of Directors of the Inter-American Foundation for a term expiring September 20, 2008.

Roger Francisco Noriega, of Kansas, to be a Member of the Board of Directors of the Inter-American Foundation for a term expiring September 20, 2006.

John B. Bellinger, of Virginia, to be Legal Adviser of the Department of State.

R. Nicholas Burns, of Massachusetts, to be an Under Secretary of State (Political Affairs).

C. David Welch, of Virginia, to be an Assistant Secretary of State (Near Eastern Affairs).

A. Noel Anketell Kramer, of the District of Columbia, to be an Associate Judge of the District of Columbia Court of Appeals for the term of fifteen years.

Juliet JoAnn McKenna, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Laura A. Cordero, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Jennifer M. Anderson, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Terrence W. Boyle, of North Carolina, to be United States Circuit Judge for the Fourth Circuit.

William James Haynes II, of Virginia, to be United States Circuit Judge for the Fourth Circuit.

Priscilla Richman Owen, of Texas, to be United States Circuit Judge for the Fifth Circuit.

Richard A. Griffin, of Michigan, to be United States Circuit Judge for the Sixth Circuit.

David W. McKeague, of Michigan, to be United States Circuit Judge for the Sixth Circuit.

Susan Bieke Neilson, of Michigan, to be United States Circuit Judge for the Sixth Circuit.

Henry W. Saad, of Michigan, to be United States Circuit Judge for the Sixth Circuit.

William Gerry Myers III, of Idaho, to be United States Circuit Judge for the Ninth Circuit.

William H. Pryor, Jr., of Alabama, to be United States Circuit Judge for the Eleventh Circuit.

Janice R. Brown, of California, to be United States Circuit Judge for the District of Columbia Circuit.

Thomas B. Griffith, of Utah, to be United States Circuit Judge for the District of Columbia Circuit.

Brett M. Kavanaugh, of Maryland, to be United States Circuit Judge for the District of Columbia Circuit.

J. Michael Seabright, of Hawaii, to be United States District Judge for the District of Hawaii.

Daniel P. Ryan, of Michigan, to be United States District Judge for the Eastern District of Michigan.

Thomas L. Ludington, of Michigan, to be United States District Judge for the Eastern District of Michigan.

Sean F. Cox, of Michigan, to be United States District Judge for the Eastern District of Michigan.

James C. Dever III, of North Carolina, to be United States District Judge for the Eastern District of North Carolina.

Robert J. Conrad, Jr., of North Carolina, to be United States District Judge for the Western District of North Carolina.

Peter G. Sheridan, of New Jersey, to be United States District Judge for the District of New Jersey.

Paul A. Crotty, of New York, to be United States District Judge for the Southern District of New York.

Gretchen C.F. Shappert, of North Carolina, to be United States Attorney for the Western District of North Carolina for the term of four years.

Earl Cruz Aguigui, of Guam, to be United States Marshal for the District of Guam and concurrently United States Marshal for the District of the Northern Mariana Islands for the term of four years. **Page 2230**

Messages From the House: **Page 2213**

Executive Communications: **Page 2213**

Additional Cosponsors: **Page 2215**

Statements on Introduced Bills/Resolutions: **Page 2216**

Additional Statements: **Page 2212**

Notices of Hearings/Meetings: **Page 2227**

Privilege of the Floor: **Page 2227**

Adjournment: Senate convened at 12:01 p.m., and adjourned at 5:36 p.m., until 9:45 a.m., on Tuesday, February 15, 2005. (For Senate's program, see the remarks of Majority Leader in today's Record on page 2229.)

Committee Meetings

BUSINESS MEETING

Committee on Homeland Security and Governmental Affairs: on Thursday, February 10, Committee approved for reporting the following subcommittee assignments:

Federal Financial Management, Government Information, and International Security: Senators Coburn (Chairman), Stevens, Voinovich, Chafee, Bennett, Domenici, Warner, Carper, Levin, Akaka, Dayton and Lautenberg.

Permanent Subcommittee on Investigations: Senators Coleman (Chairman), Stevens, Coburn, Chafee, Bennett, Domenici, Warner, Levin, Akaka, Carper, Dayton, Lautenberg, and Pryor.

Oversight of Government Management, the Federal Workforce, and the District of Columbia: Senators Voinovich (Chairman), Stevens, Coleman, Coburn, Chafee, Bennett, Domenici, Warner, Akaka, Levin, Carper, Dayton, Lautenberg, and Pryor.

House of Representatives

Chamber Action

Measures Introduced: 8 public bills, H.R. 790–797; and 10 resolutions, H.J. Res. 18, H. Con. Res. 57–60, and H. Res. 87–91, were introduced. **Page 2178**

Additional Cosponsors: **Page 2179**

Reports Filed: Reports were filed today as follows:

H.R. 310, to increase the penalties for violations by television and radio broadcasters of the prohibitions against transmission of obscene, indecent, and profane material (H. Rept. 109–5). **Page 2178**

Speaker: Read a letter from the Speaker wherein he appointed Representative Thornberry to act as Speaker Pro Tempore for today. **Page 2177**

Senate Message: Message received from the Senate appears on page 2177.

Senate Referrals: S. 5 was ordered held at the desk.

Quorum Calls—Votes: There were no votes or quorum calls.

Adjournment: The House met at 12 p.m. and adjourned at 12:03 p.m.

Committee Meetings

No committee meetings were held.

Tuesday, February 15, 2005

Senate

Chamber Action

Routine Proceedings, pages 2236–2314

Measures Introduced: Sixteen bills and two resolutions were introduced, as follows: S. 375–390, and S. Con. Res. 12–13. **Page 2290**

Measures Passed:

Honoring the American Society of Mechanical Engineers: Senate agreed to S. Con. Res. 13, congratulating ASME on their 125th anniversary, celebrating the achievements of ASME members, and expressing the gratitude of the American people for ASME's contributions. **Page 2313**

Nazi War Crimes Working Group Extension Act—Agreement: A unanimous-consent-time agreement was reached providing that at 11 a.m., on Wednesday, February 16, 2005, Senate begin consideration of S. 384, a bill to extend the existence of the Nazi War Crimes Working Group; that there be 90 minutes of debate equally divided between the Majority Leader, or his designee, and the Democratic Leader, or his designee; that there be no amendments in order, and that following the use, or yielding back of time, the Senate vote on final passage. **Page 2313**

Nominations Confirmed: Senate confirmed the following nominations:

By unanimous vote of 98 yeas (Vote No. EX. 10), Michael Chertoff, of New Jersey, to be Secretary of Homeland Security. **Pages 2244, 2314**

Nominations Received: Senate received the following nominations:

Lester M. Crawford, of Maryland, to be Commissioner of Food and Drugs, Department of Health and Human Services.

1 Army nomination in the rank of general.

Routine lists in the Army. **Page 2314**

Measures Placed on Calendar: **Page 2288**

Executive Communications: **Page 2288**

Additional Cosponsors: **Page 2290**

Statements on Introduced Bills/Resolutions: **Page 2292**

Additional Statements: **Page 2288**

Authority for Committees to Meet: **Page 2312**

Privilege of the Floor: **Page 2313**

Record Votes: One record vote was taken today. (Total—10) **Page 2263**

Adjournment: Senate convened at 9:45 a.m., and adjourned at 5:45 p.m., until 9:30 a.m., on Wednesday, February 16, 2005. (For Senate's program, see the remarks of Majority Leader in today's Record on page 2314.)

Committee Meetings

DEPARTMENT OF ENERGY BUDGET

Committee on Armed Services: Committee concluded a hearing to examine priorities and plans for the atomic energy defense activities of the Department of Energy (DOE) and to review the President's budget request for fiscal year 2006 for atomic energy defense activities of the Department of Energy and National Nuclear Security Administration, focusing on the Administration's priorities for nuclear weapons, threat reduction programs, and DOE's environmental clean-up program, after receiving testimony from Samuel W. Bodman, Secretary of Energy.

NOMINATIONS

Committee on Armed Services: Committee concluded a hearing to examine the nominations of John Paul Woodley, Jr., of Virginia, to be an Assistant Secretary of the Army, Buddie J. Penn, of Virginia, to be an Assistant Secretary of the Navy, who was introduced by former Senator Symms, and the following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601: Adm. William J. Fallon, to be Admiral, after the nominees testified and answered questions in their own behalf.

BUDGET: TRANSPORTATION SECURITY ADMINISTRATION

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the President's proposed budget for fiscal year 2006 for the Department of Homeland Security's Transportation Security Administration and related program, after receiving testimony from David M. Stone, Assistant Secretary of Transportation Security Administration, Department of Homeland Security; and Cathleen Ann Berrick, Director, Homeland Security and Justice, Government Accountability Office.

LIQUEFIED NATURAL GAS

Committee on Energy and Natural Resources: Subcommittee on Energy concluded a hearing to examine the future of liquefied natural gas, focusing on the prospects for liquefied natural gas (LNG) in the United States and to discuss the safety and security issues related to LNG developments, after receiving testimony from J. Mark Robinson, Director, Office of Energy Projects, Federal Energy Regulatory Commission, Captain David L. Scott, Commandant, U.S. Coast Guard, Department of Homeland Security; Mike Hightower, Technical Staff Member, Sandia National Laboratories; Michael R. Peevey, California Public Utilities Commission, Los Angeles; William Kramer, Jr., New Jersey Division of Fire Safety, Trenton, on behalf of the National Association of State Fire Marshals; Mayor David N. Cicilline, Providence, Rhode Island; Thomas E. Giles, Mitsubishi, Long Beach, California; and Richard L. Grant, Tractebel North America, and Distrigas of Massachusetts, Boston.

NOMINATION

Committee on Foreign Relations: Committee concluded a hearing to examine the nomination of Robert B. Zoellick, to be Deputy Secretary of State, after the nominee, who was introduced by Senators Grassley and Baucus, testified and answered questions in his own behalf.

DEPARTMENT OF VETERANS AFFAIRS BUDGET

Committee on Veterans' Affairs: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2006, after receiving testimony from R. James Nicholson, Secretary of Veterans Affairs; Peter S. Gaytan, The American Legion, Dennis M. Cullinan, Veterans of Foreign Wars of the United States, Joseph A. Violante, Disabled American Veterans, and Richard B. Fuller, Paralyzed Veterans of America, all of Washington, D.C.; and Richard Jones, AMVETS, Lanham, Maryland.

House of Representatives

Chamber Action

Measures Introduced: 37 public bills, H.R. 798–835; and 18 resolutions, H.J. Res. 19–20; H. Con. Res. 61–65, and H. Res. 92–94 and 97–104, were introduced. **Page 2354**

Additional Cosponsors: **Page 2357**

Reports Filed: Reports were filed today as follows:

H. Res. 95, providing for consideration of H.R. 310, to increase the penalties for violations by television and radio broadcasters of the prohibitions against transmission of obscene, indecent, and profane material (H. Rept. 109–6); and

H. Res. 96, providing for consideration of S. 5, to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants (H. Rept. 109–7). **Page 2354**

Speaker: Read a letter from the Speaker wherein he appointed Representative Petri to act as Speaker Pro Tempore for today. **Page 2315**

Recess: The House recessed at 12:53 p.m. and reconvened at 2 p.m. **Page 2317**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Recognizing the contributions of the "Greensboro Four" to the civil rights movement: H. Con. Res. 25, recognizing the contributions of Jibreel Khazan (Ezell Blair, Jr.), David Richmond, Joseph McNeil, and Franklin McCain, the "Greensboro Four", to the civil rights movement, by a ⅔ yea-and-nay vote of 424 yeas with none voting "nay", Roll No. 32; **Pages 2319, 2329**

Arthur Stacey Mastrapa Post Office Building Designation Act: H.R. 324, to designate the facility of the United States Postal Service located at 321 Montgomery Road in Altamonte Springs, Florida, as the "Arthur Stacey Mastrapa Post Office Building", by a ⅔ yea-and-nay vote of 420 yeas with none voting "nay", Roll No. 33; **Pages 2322, 2329**

Congratulating the Patriots on winning Super Bowl XXXIX: H. Res. 86, congratulating the Patriots on winning Super Bowl XXXIX; and **Page 2324**

Recognizing the Virginia Fire Chiefs Association on its 75th anniversary: H. Res. 80, recognizing the Virginia Fire Chief's Association on the occasion of its 75th anniversary and commending the Virginia Fire Chief's Association for sponsoring annually the Mid-Atlantic Expo and Symposium. **Page 2327**

Agreed to amend the title so as to read: commending fire chiefs associations. **Page 2328**

Recess: The House recessed at 3:07 p.m. and reconvened at 6:30 p.m. **Page 2328**

Late Report: The House agreed that the Committee on Education and the Workforce have until 5 p.m. on February 25, 2005, to file a late report on H.R. 27, to enhance the workforce investment system of the Nation by strengthening one-stop career centers, providing for more effective governance arrangements, promoting access to a more comprehensive array of employment, training, and related services, establishing a targeted approach to serving youth, and improving performance accountability. **Page 2328**

Commission on Security and Cooperation in Europe—Appointment: The Chair announced the Speaker's appointment of the following Members to the Commission on Security and Cooperation in Europe: Representative Smith (NJ), co-chairman; and Representatives Wolf, Pitts, Aderholt, and Pence. **Page 2330**

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages 2328–30. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 9:58 p.m.

Committee Meetings

COMMITTEE ORGANIZATION; OVERSIGHT PLAN

Committee on Appropriations: Met for organizational purposes.

The Committee approved an Oversight Plan for the 109th Congress.

VOCATIONAL AND TECHNICAL EDUCATION FOR THE FUTURE ACT

Committee on Education and the Workforce: Subcommittee on Education Reform held a hearing on H.R. 366, Vocational and Technical Education for the Future Act. Testimony was heard from Lewis L. Atkinson III, Associate Secretary, Adult Education and Workforce Development, Department of Education, State of Delaware; Patrick Ainsworth, Assistant Superintendent and Director, Secondary, Postsecondary, and Adult Leadership Division, Department of Education, State of California; and a public witness.

SEC'S MARKET STRUCTURE PROPOSAL

Committee on Financial Services: Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises held a hearing entitled "The SEC's Market Structure Proposal: Will It Enhance Competition?" Testimony was heard from public witnesses.

BROADCAST DECENCY ENFORCEMENT ACT

Committee on Rules: Granted, by voice vote, a structured rule providing one hour of debate on H.R. 310, Broadcast Decency Enforcement Act, in the House equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce. The rule waives all points of order against consideration of the bill. The rule makes in order the amendment printed in the Rules Committee report accompanying the resolution, if offered by Representative Upton of Michigan or his designee, which shall be considered as read, and which shall be debatable for 20 minutes equally divided and controlled by the proponent and an opponent. The rules waives all points of order against the amendment printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Upton, Markey, Slaughter, and Moran of Virginia.

CLASS ACTION FAIRNESS ACT OF 2005; COMMITTEE BUSINESS

Committee on Rules: Granted, by voice vote, a structured rule providing 90 minutes of debate on S. 5, Class Action Fairness Act, in the House equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the bill. The rule makes in order the amendment printed in the Rules Committee report accompanying the resolution, if offered by Representative Conyers of Michigan or his designee, which shall be considered as read, and which shall be debatable for 40 minutes equally divided and controlled by the proponent and an opponent. The rule waives all points of order against the amendment printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Sensenbrenner and Representative Scott of Virginia.

The Committee also approved pending Committee business.

THREATS

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on Threats. Testimony was heard from departmental witnesses.

Hearings continue tomorrow.

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Wednesday, February 16, 2005

Senate

Chamber Action

Routine Proceedings, pages 2468–2614

Measures Introduced: Twenty-two bills and four resolutions were introduced, as follows: S. 391–412, S.J. Res. 5, and S. Res. 55–57. **Page 2544**

Measures Reported:

S. 63, to establish the Northern Rio Grande National Heritage Area in the State of New Mexico, with amendments. (S. Rept. No. 109–1)

S. 163, to establish the National Mormon Pioneer Heritage Area in the State of Utah, with amendments. (S. Rept. No. 109–2)

S. 200, to establish the Arabia Mountain National Heritage Area in the State of Georgia, with an amendment. (S. Rept. No. 109–3)

S. 203, to reduce temporarily the royalty required to be paid for sodium produced on Federal lands. (S. Rept. No. 109–4)

S. 204, to establish the Atchafalaya National Heritage Area in the State of Louisiana. (S. Rept. No. 109–5)

S. 249, to establish the Great Basin National Heritage Route in the States of Nevada and Utah. (S. Rept. No. 109–6)

S. 125, to designate the United States courthouse located at 501 I Street in Sacramento, California, as the "Robert T. Matsui United States Courthouse". **Page 2544**

Measures Passed:

Nazi War Crimes Working Group Extension Act: Senate passed S. 384, a bill to extend the existence of the Nazi War Crimes Working Group. **Page 2474**

National MPS Awareness Day: Senate agreed to S. Res. 57, designating February 25, 2005 as "National MPS Awareness Day". **Page 2612**

Honoring John Hume: Committee on Foreign Relations was discharged from further consideration of S. Res. 54, paying tribute to John Hume, and the resolution was then agreed to. **Page 2612**

Genetic Information Nondiscrimination Act: Senate completed consideration S. 306, to prohibit discrimination on the basis of genetic information with respect to health insurance and employment, after agreeing to the committee amendment in the nature of a substitute, and taking action on the following amendment proposed thereto: **Page 2488**

Adopted:

Enzi Amendment No. 13, in the nature of a substitute. **Page 2517**

A unanimous-consent agreement was reached providing that at 3 p.m., on Thursday, February 17, 2005, Senate will continue consideration of the bill, with a vote on final passage to occur thereon. **Page 2613**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting a report, pursuant to section 203(a) of the International Emergency Economic Powers Act and section 201(a) of the National Emergencies Act declaring national emergencies in Executive Orders 13224 of 9–23–01, as amended, and 12947 of 01–23–95, as amended with a new Executive Order Clarifying Certain Executive Orders Blocking Property and Prohibiting Certain Transactions; referred to the Committee on Banking, Housing, and Urban Affairs. (PM–5) **Page 2535**

Nominations Confirmed: Senate confirmed the following nomination:

Robert B. Zoellick, of Virginia, to be Deputy Secretary of State. **Pages 2611, 2614**

Measures Referred: **Page 2535**

Measures Read First Time: **Page 2535**

Executive Communications: **Page 2536**

Executive Reports of Committees: **Page 2544**

Additional Cosponsors: **Page 2545**

Statements on Introduced Bills/Resolutions: **Page 2547**

Additional Statements: **Page 2535**

Amendments Submitted: **Page 2594**

Authority for Committees to Meet: **Page 2603**

Privilege of the Floor: **Page 2604**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 6:21 p.m., until 10 a.m., on Thursday, February 17, 2005. (For Senate's program, see the remarks of Majority Leader in today's Record on page 2613.)

Committee Meetings

EMERGENCY SUPPLEMENTAL

Committee on Appropriations: Committee concluded a hearing to examine on proposed legislation making emergency supplemental appropriations for the fiscal year ending September 30, 2005, after receiving testimony from Donald Rumsfeld, Secretary, and Tina W. Jonas, Under Secretary, Comptroller, both of the Department of Defense; and General Richard B. Myers, Chairman, Joint Chiefs of Staff.

MONETARY POLICY REPORT

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the semiannual monetary policy report to Congress, focusing on the Federal Reserve's objectives of price stability and maximum sustainable employment, after receiving testimony from Alan Greenspan, Chairman, Board of Governors of the Federal Reserve System.

BUDGET: 2006

Committee on the Budget: Committee held a hearing to examine the transparency of budget measures, focusing on the economic costs of long-term federal obligations, receiving testimony from Douglas Holtz-Eakin, Director, Congressional Budget Office.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported the following bills:

S. 48, to reauthorize appropriations for the New Jersey Coastal Heritage Trail Route, with an amendment;

S. 52, to direct the Secretary of the Interior to convey a parcel of real property to Beaver County, Utah;

S. 54, to amend the National Trails System Act to require the Secretary of the Interior to update the feasibility and suitability studies of four national historic trails, with an amendment;

S. 55, to adjust the boundary of Rocky Mountain National Park in the State of Colorado;

S. 56, to establish the Rio Grande Natural Area in the State of Colorado;

S. 57, to further the purposes of the Sand Creek Massacre National Historic Site Establishment Act of 2000;

S. 97, to provide for the sale of bentonite in Big Horn County, Wyoming;

S. 99, to authorize the Secretary of the Interior to contract with the city of Cheyenne, Wyoming, for the storage of the city's water in the Kendrick Project, Wyoming;

S. 101, to convey to the town of Frannie, Wyoming, certain land withdrawn by the Commissioner of Reclamation;

S. 128, to designate certain public land in Humboldt, Del Norte, Mendocino, Lake, and Napa Counties in the State of California as wilderness, to designate certain segments of the Black Butte River in Mendocino County, California as a wild or scenic river;

S. 136, to authorize the Secretary of the Interior to provide supplemental funding and other services that are necessary to assist certain local school districts in the State of California in providing education services for students attending schools located within Yosemite National Park, to authorize the Secretary of the Interior to adjust the boundaries of the Golden Gate National Recreation Area, with an amendment;

S. 152, to enhance ecosystem protection and the range of outdoor opportunities protected by statute in the Skykomish River valley of the State of Washington by designating certain lower-elevation Federal lands as wilderness, with an amendment;

S. 161, to provide for a land exchange in the State of Arizona between the Secretary of Agriculture and Yavapai Ranch Limited Partnership;

S. 182, to provide for the establishment of the Uintah Research and Curatorial Center for Dinosaur National Monument in the States of Colorado and Utah, with an amendment;

S. 272, to designate certain National Forest System land in the Commonwealth of Puerto Rico as components of the National Wilderness Preservation System, with an amendment;

S. 276, to revise the boundary of the Wind Cave National Park in the State of South Dakota; and S. 301, to authorize the Secretary of the Interior to provide assistance in implementing cultural heritage, conservation, and recreational activities in the Connecticut River watershed of the States of New Hampshire and Vermont, with an amendment.

BUSINESS MEETING

Committee on Environment and Public Works: Committee ordered favorably reported S. 125, to designate the United States courthouse located at 501 I Street in Sacramento, California, as the "Robert T. Matsui United States Courthouse".

DEPARTMENT OF HEALTH AND HUMAN SERVICES BUDGET

Committee on Finance: Committee held a hearing to examine the President's proposed budget request for fiscal year 2006 for the Department of Health and Human Services, receiving testimony from Michael O. Leavitt, Secretary of Health and Human Services.

Hearings recessed subject to the call.

DEPARTMENT OF STATE BUDGET

Committee on Foreign Relations: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2006 for foreign affairs, after receiving testimony from Condoleezza Rice, Secretary of State.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the nomination of Robert B. Zoellick, of Virginia, to be Deputy Secretary of State.

OIL-FOR-FOOD PROGRAM

Committee on Homeland Security and Governmental Affairs: on Wednesday, February 15, Permanent Subcommittee on Investigations resumed hearings to examine the United Nations management and oversight of the Oil-for-Food Program (OFF Program), focusing on the operations of the independent inspection agents retained by the United Nations and their role within the OFF Program, including the administration of the OFF Program by the U.N. Office of the Iraq Program and the findings of the U.N. Office of Internal Oversight Services, after receiving testimony from Ambassador Patrick F. Kennedy, U.S. Representative for U.N. Management and Reform, United States Mission to the United Nations; Joseph A. Christoff, Director, International Affairs and Trade Team, Government Accountability Office; Robert M. Massey, Andre E. Pruniaux, and Milan Radenovic, all of Cotecna Inspection S.A., Geneva, Switzerland; John Denson, Saybolt Group, Houston, Texas; Arthur Ventham, Kinross, Western Australia; Stafford Clarry, Syracuse, New York; and Verne Kulyk, Dar es Salaam, Tanzania.

FEDERAL GOVERNMENT

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine transforming government for the 21st century, focusing on the report of the Government Accountability Office entitled 21st Century Challenges: Reexamining the Base of the Federal Government, including addressing the nation's long-term fiscal gap, deciding on the appropriate role and size of government, and financing the government, after receiving testimony from David M. Walker, Comptroller General of the United States, Government Accountability Office.

DRUG IMPORTATION

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine the realities of safety and security regarding drug importation, after receiving testimony from Richard H. Carmona, Surgeon General, Public Health Service, Department of Health and Human Services; Minnesota Governor Tim Pawlenty, St. Paul; John M. Gray, Healthcare Distribution Management Association, Reston, Virginia; Carmen A. Catizone, National Association of Boards of Pharmacy, Mount Prospect, Illinois; and Peter Rost, Pfizer, Inc., New York, New York.

BUDGET: INDIAN PROGRAMS

Committee on Indian Affairs: Committee concluded a hearing to examine the President's fiscal year 2006 budget request for Indian programs, after receiving testimony from

James Cason, Associate Deputy Secretary for Indian Affairs, and Ross O. Swimmer, Special Trustee for American Indians, both of the Department of the Interior; Charles W. Grim, Assistant Surgeon General, Director, Indian Health Service, Department of Health and Human Services; Michael Liu, Assistant Secretary of Housing and Urban Development for Public and Indian Housing; Victoria Vasques, Assistant Deputy Secretary and Director of Education for Indian Education, Department of Education; Tex G. Hall, National Congress of American Indians, Chester Carl, National American Indian Housing Council, and John Thomas Petherick, National Indian Health Board, all of Washington, D.C.; and David Beaulieu, National Indian Education Association, Alexandria, Virginia.

WORLD THREAT

Select Committee on Intelligence: Committee concluded a hearing to examine the national security threats to the interests of the United States, focusing on terrorism, Iraq, nuclear weapons proliferation, and North Korea, after receiving testimony from Porter J. Goss, Director of Central Intelligence; Robert S. Mueller III, Director, Federal Bureau of Investigation, Department of Justice; Admiral James Loy, U.S. Coast Guard (Ret.), Deputy Secretary of Homeland Security; Vice Admiral Lowell E. Jacoby, U.S. Navy, Director, Defense Intelligence Agency, Department of Defense; and Carol Rodley, Principal Deputy Assistance Secretary of State for Intelligence and Research.

House of Representatives

Chamber Action

Measures Introduced: 37 public bills, H.R. 836–872; and 19 resolutions, H.J. Res. 21; H. Con. Res. 66–69, and H. Res. 105–118, were introduced. **Page 2464**

Additional Cosponsors: **Page 2468**

Reports Filed: No reports were filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Culberson to act as Speaker Pro Tempore for today. **Page 2376**

Chaplain: The prayer was offered today by Rev. John H. Parker, Pastor, Central Baptist Church in Washington, DC. **Page 2376**

Broadcast Decency Enforcement Act of 2005: The House passed H.R. 310, to increase the penalties for violations by television and radio broadcasters of the prohibitions against transmission of obscene, indecent, and profane material, by a yea-and-nay vote of 389 yeas to 38 nays, Roll No. 35. **Page 2397**

Agreed to the Upton amendment that makes seven changes to various provisions of the bill by a voice vote. **Page 2406**

H. Res. 95, the rule providing for consideration of the rule, was agreed to by voice vote, after agreeing to order the previous questions by a yea-and-nay vote of 230 yeas to 198 nays, Roll No. 34. **Pages 2378, 2396**

Class Action Fairness Act of 2005—Rule for Consideration: The House agreed to H. Res. 96, the rule providing for consideration of S. 5, to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants, by voice vote. **Page 2386**

Committee Vacation: Read a letter from Representative Lofgren (CA) wherein she asked permission to vacate her seat on the Committee on Science. **Page 2409**

Committee Election: Agreed to H. Res. 111, electing Members to the following standing committees: Committee on House Administration: Representative Lofgren (CA); and Committee on Small Business: Representative Moore (WI). **Page 2409**

Suspensions: The House agreed to suspend the rules and pass the following measure:

Recognizing the commitment of the U.S. to the recovery of and accounting for American POWs or MIAs: H.J. Res. 18, recognizing the historic commitment of the United States to the recovery of and full accounting for Americans who are prisoners of war or in a missing status. **Page 2409**

Suspension—Proceedings Postponed: The House began consideration of the following measure. Further consideration will resume tomorrow, February 17:

Honoring the life and legacy of former Lebanese Prime Minister Rafik Hariri: H. Res. 91, amended, honoring the life and legacy of former Lebanese Prime Minister Rafik Hariri. **Page 2413**

President's Day District Work Period: The House agreed to H. Con. Res. 66, providing for a conditional adjournment of the House and conditional recess or adjournment of the Senate. **Page 2419**

Committee Election: Agreed to H. Res. 112, electing Representative Musgrave to the Committee on Resources. **Page 2419**

Commission on Civil Rights—Appointment: The Chair announced the Speaker's appointment of Mr. Michael Yaki of San Francisco, California to the Commission on Civil Rights to fill the remainder of the term expiring on May 3, 2005. **Page 2437**

Presidential Message: Read a message from the President wherein he notified Congress of a new Executive Order that amends existing Executive Orders and clarifies certain measures taken to address certain national emergencies—referred to the Committee on International Relations and ordered printed (H. Doc. 109–10). **Page 2419**

Senate Message: Message received from the Senate today appears on page 2376.

Senate Referral: S. Con. Res. 13 was ordered held at the desk.

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages 2396 and 2408. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 6:43 p.m.

Committee Meetings

COMMITTEE ORGANIZATION; OVERSIGHT PLAN; BUDGET VIEWS AND ESTIMATES

Committee on Agriculture: Met for organizational purposes.

The Committee approved the following: an Oversight Plan for the 109th Congress; and Budget Views and Estimates for Fiscal Year 2006 for submission to the Committee on the Budget.

AGRICULTURE, RURAL DEVELOPMENT, FDA AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on Secretary of Agriculture. Testimony was heard from Michael Johanns, Secretary of Agriculture.

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense met in executive session to hold a hearing on Force Protection. Testimony was heard from the following officials of the Department of Defense: Benjamin P. Riley III, Assistant Deputy Under Secretary (Protection) and Chairman, Combating Terrorism Technology Task Force; LTG David F. Melcher, USA, Deputy Chief of Staff, Department of the Army; and LTG James N. Mattis, USMC, Commanding General, Marine Corps Combat and Development Command and Deputy Commandant for Combat Development, HQMC.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS

Committee on Appropriations: Subcommittee on Foreign Operations, Export Financing, and Related Programs held a hearing on Secretary of State. Testimony was heard from Condoleezza Rice, Secretary of State.

LABOR, HHS, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education, and Related Agencies held a hearing on the Social Security Administration. Testimony was heard from Jo Anne B. Barnhart, Commissioner of Social Security.

MILITARY QUALITY OF LIFE, AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Quality of Life, Veterans Affairs, and Related Agencies held a hearing on Quality of Life. Testimony was heard from the following officials of the Department of Defense: Sgt. Major, Kenneth O. Preston, USA; Master Chief Petty Officer, Terry D. Scott, USN; Sgt. Major John L. Estrada, USMC; and Chief Master Sgt. Gerald R. Murray, USAF.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST FISCAL YEAR 2006

Committee on Armed Services: Continued hearings on the Fiscal Year 2006 National Defense budget request. Testimony was heard from the following officials of the Department of Defense: Donald H. Rumsfeld, Secretary; and GEN Richard B. Myers, USAF, Chairman, Joint Chiefs of Staff.

Hearings continue tomorrow.

HOMELAND SECURITY NEEDS

Committee on the Budget: Held a hearing on National and Homeland Security: Meeting the Needs. Testimony was heard from public witnesses.

JOB TRAINING IMPROVEMENT ACT OF 2005

Committee on Education and the Workforce: Began mark up of H.R. 27, Job Training Improvement Act of 2005.

Will continue tomorrow.

SPY ACT

Committee on Energy and Commerce: Subcommittee on Commerce, Trade and Consumer Protection approved for full Committee action, as amended, H.R. 29, Spy Act.

ENERGY POLICY ACT OF 2005

Committee on Energy and Commerce: Subcommittee on Energy and Air Quality continued hearings entitled "Energy Policy Act of 2005: Ensuring Jobs for Our Future with Secure and Reliable Energy." Testimony was heard from public witnesses.

"TERRORIST RESPONSE TO IMPROVED U.S. FINANCIAL DEFENSES"

Committee on Financial Services, Subcommittee on Oversight and Investigations held a hearing entitled "Terrorist Responses to Improved U.S. Financial Defenses." Testimony was heard from Juan C. Zarate, Assistant Secretary, Terrorist Financing, Department of the Treasury; and public witnesses.

SAFE DRUG ABUSE

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy, and Human Resources held a hearing entitled "Is There Such a Thing as Safe Drug Abuse?" Testimony was heard from Peter L. Beilenson, M.D., Commissioner, Department of Health, Baltimore, Maryland; and public witnesses.

OMB MANAGEMENT

Committee on Government Reform: Subcommittee on Government Management, Finance, and Accountability held a hearing entitled "Improving Internal Controls—A Review of Changes to OMB Circular A–123." Testimony was heard from Christopher B. Burnham, Acting Under Secretary, Management, Assistant Secretary, Resource Management, and Chief Financial Officer, Department of State; John P. Higgins, Jr., Inspector General, Department of Education; Otto J. Wolff, Chief Financial Officer and Assistant Secretary, Administration, Department of Commerce; and Jeffrey C. Steinhoff, Managing Director, Financial Management and Assurance, GAO.

DHS—BUILDING INFORMATION ANALYSIS CAPABILITY

Committee on Homeland Security: Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment held a hearing entitled: "The Proposed Fiscal Year 2006: Building the Information Analysis Capability of DHS." Testimony was heard from Patrick Hughes, Acting Under Secretary, Information Analysis and Infrastructure Protection, Department of Homeland Security.

U.S. POLICY TOWARD IRAN: NEXT STEPS

Committee on International Relations: Held a hearing on United States Policy Toward Iran: Next Steps. Testimony was heard from public witnesses.

COMMEMORATIVE RESOLUTION; TRANSATLANTIC RELATIONS

Committee on International Relations: Subcommittee on Europe and Emerging Threats approved for full Committee action H. Res. 108, Commemorating the life of the late Zurab Zhvania, Prime Minister of the Republic of Georgia.

The Subcommittee also held a hearing on An Overview of Transatlantic Relations Prior to President Bush's Visit to Europe. Testimony was heard from public witnesses.

IRAN STATE-SPONSORED TERROR

Committee on International Relations: Subcommittee on the Middle East and Central Asia and the Subcommittee on International Terrorism and Nonproliferation held a joint hearing on Iran: A Quarter-Century of State-Sponsored Terror. Testimony was heard from public witnesses.

OVERSIGHT—INDIAN TRUST FUND LAWSUIT STATUS

Committee on Resources: Held an oversight hearing on the Status of the Indian Trust Fund Lawsuit, Cobell v. Norton. Testimony was heard from Jim Cason, Acting Assistant Secretary, Indian Affairs, Department of the Interior; and a public witness.

OVERSIGHT—PAPER INDUSTRY ENERGY COSTS

Committee on Resources: Subcommittee on Energy and Mineral Resources and the Subcommittee on Forests and Forest Health held a joint oversight hearing on the Impact of High Energy Costs on the Competitiveness of America's Pulp and Paper Industry. Testimony was heard from public witnesses.

FEDERAL R&D BUDGET OVERVIEW

Committee on Science: Held a hearing An Overview of the Federal R&D Budget for Fiscal Year 2006. Testimony was heard from John Marburger III, Director, Office of Science and Technology; Samuel Bodman, Secretary of Energy; Arden Bement Director, NSF; Charles McQueary, Under Secretary, Science and Technology, Department of Homeland Security; and Theodore Kassinger, Deputy Secretary of Commerce.

BUDGET VIEWS AND ESTIMATES; OVERSIGHT PLAN

Committee on Transportation and Infrastructure: Approved the following: Budget Views and Estimates for Fiscal Year 2006 for submission to the Committee on the Budget; and an Oversight Plan for the 109th Congress.

OVERSIGHT—AGENCIES BUDGETS AND PRIORITIES FISCAL YEAR 2006: EPA AND NOAA

Committee on Transportation and Infrastructure: Subcommittee on Water Resources held an oversight hearing on the following Agency Budgets and Priorities for Fiscal Year 2006: EPA; and the NOAA. Testimony was heard from the following officials of the EPA: Benjamin H. Grumbles, Assistant Administrator, Water; and Thomas P. Dunne, Deputy Assistant Administrator, Solid Waste and Emergency Response; and Richard W. Spinrad, Assistant Administrator, National Ocean Service, NOAA, Department of Commerce.

DEPARTMENT OF VETERANS AFFAIRS BUDGET FISCAL YEAR 2006

Committee on Veterans' Affairs: Held a hearing on the Department of Veterans Affairs Budget for Fiscal Year 2006. Testimony was heard from R. James Nicholson, Secretary of Veterans Affairs; representatives of veterans organizations; and public witnesses.

THREATS

Permanent Select Committee on Intelligence: Met in executive session to continue hearings on Threats. Testimony was heard from departmental witnesses.

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Thursday, February 17, 2005

Senate

Chamber Action

Routine Proceedings, pages 2712–2839

Measures Introduced: Forty-four bills and eleven resolutions were introduced, as follows: S. 413–456, S.J. Res. 6, S. Res. 58–66, and S. Con. Res. 14. **Page 2754**

Measures Reported:

S. 256, to amend title II of the United States Code, with amendments. **Page 2753**

Measures Passed:

Honoring Howard Baker: Senate agreed to S. Res. 58, commending the Honorable Howard Henry Baker, Jr., formerly a Senator of Tennessee, for a lifetime of distinguished service. **Page 2722**

Genetic Information Nondiscrimination Act: By a unanimous vote of 98 yeas (Vote No. 11), Senate passed S. 306, to prohibit discrimination on the basis of genetic information with respect to health insurance and employment. **Page 2725**

Adjournment Resolution: Senate agreed to H. Con. Res. 66, providing for an adjournment or recess of the two Houses. **Page 2824**

Government of Moldova: Senate agreed to S. Res. 60, supporting democratic reform in Moldova and urging the Government of Moldova to ensure a democratic and fair election process for the March 6, 2005, parliamentary elections. **Page 2826**

National Ready Mixed Concrete Association: Senate agreed to S. Res. 61, recognizing the National Ready Mixed Concrete Association on its 75th anniversary and its members' vital contributions to the infrastructure of the United States. **Page 2827**

Rotary International Day: Senate agreed to S. Res. 62, supporting the goals and ideals of a "Rotary International Day" and celebrating and honoring Rotary International on the occasion of its centennial anniversary. **Page 2828**

Assassination of Prime Minister Hariri: Senate agreed to S. Res. 63, calling for an investigation into the assassination of Prime Minister Rafiq Hariri and urging steps to pressure the Government of Syria to withdraw from Lebanon. **Page 2829**

Year of Foreign Language Study: Committee on Judiciary was discharged from further consideration of S. Res. 28, to designating the year 2005 as the "Year of Foreign Language Study", and the resolution was then agreed to. **Page 2830**

Robert T. Matsui United States Courthouse: Senate passed S. 125, to designate the courthouse located at 501 I Street in Sacramento, California, as the "Robert T. Matsui United States Courthouse." **Page 2830**

Committee Funding Resolution: Senate agreed to S. Res. 50, authorizing expenditures by committees of the Senate for the periods March 1, 2005, through September 30, 2005, October 1, 2005, through September 30, 2006, and October 1, 2006, through February 28, 2007. **Page 2831**

Bankruptcy Reform Act—Agreement: A unanimous-consent agreement was reached providing that on Monday, February 28, at 2 p.m., Senate begin consideration of S. 256, a bill to amend title II of the United States Code, provided that consideration of the bill during Monday's session be for the purpose of debate only. **Page 2824**

Bill Referral: A unanimous-consent agreement was reached providing that the Committee on Armed Services be discharged from further consideration of S. 70, to amend title XVIII of the Social Security Act to remove the restriction that a clinical psychologist or a clinical social worker provide services in a comprehensive outpatient rehabilitation facility to a patient only under the care of a physician, and the bill then be referred to the Committee on Finance. **Page 2826**

Bill Referral: A unanimous-consent agreement was reached providing that the Committee on Armed Services be discharged from further consideration of S. 69, for the relief of Donald C. Pence, and the bill be referred to the Committee on Veterans' Affairs. **Page 2825**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that during this adjournment of the Senate, the Majority Leader, Senators Warner and Allen, be authorized to sign duly enrolled bills or joint resolutions. **Page 2831**

Authority for Committees: A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate, all committees were authorized to file legislative and executive matters on Wednesday, February 23, 2005, from 10 a.m. until 12 noon. **Page S2831**

Messages from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, the Economic Report of the President dated February 2005 with the Annual Report of the Council of Economic Advisers for 2005; which was referred to the Joint Economic Committee. (PM–6) **Page 2741**

Appointments:

Senate National Security Working Group: The Chair announced, on behalf of the Majority Leader, pursuant to the provisions of S. Res. 105 (adopted April 13, 1989), as amended by S. Res. 149 (adopted October 5, 1993), as amended by Public Law 105–275, further amended by S. Res. 75 (adopted March 25, 1999), amended by S. Res. 383 (adopted October 27, 2000), and amended by S. Res. 355 (adopted November 13, 2002), and further amended by S. Res. 480 (adopted November 20, 2004), the appointment of the following Senators to serve as members of the Senate National Security Working Group for the 109th Congress:

Senator Stevens, Cochran (Majority Co-Chairman), Kyl (Majority Co-Chairman), Lugar, Warner, Sessions, Lott (Majority Co-Chairman), Smith, and Chafee. **Page 2831**

U.S.-Russia Interparliamentary Group: The Chair, on behalf of the Majority Leader, pursuant to Section 154 of Public Law 108–199, appointed the following Senator as Chairman of the Senate Delegation to the U.S.-Russia Interparliamentary Group conference during the 109th Congress:

Senator Lott. **Page 2831**

Canada-U.S. Interparliamentary Group: The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276d–276g, as amended, appointed the following Senator as Chairman of the Senate Delegation to the Canada-U.S. Interparliamentary Group conference during the 109th Congress:

Senator Crapo. **Page 2831**

Delegation to the NATO Parliamentary Assembly: The Chair, on behalf of the Vice President, in accordance with 22 U.S.C. 1928a–1928d, as amended, appointed the following Senator as Chairman of the Senate Delegation to the NATO Parliamentary Assembly during the 109th Congress:

Senator Smith. **Page 2831**

Nominations Confirmed: Senate confirmed the following nominations:

Buddie J. Penn, of Virginia, to be an Assistant Secretary of the Navy.

21 Air Force nominations in the rank of general.

1 Army nomination in the rank of general.

22 Marine Corps nominations in the rank of general.

4 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Marine Corps, Navy. **Pages 2824, 2837**

Nominations Received: Senate received the following nominations:

Anthony Jerome Jenkins, of the Virgin Islands, to be United States Attorney for the District of the Virgin Islands for the term of four years.

Stephen Joseph Murphy III, of Michigan, to be United States Attorney for the Eastern District of Michigan for the term of four years. **Page 2837**

Messages From the House: **Page 2742**

Measures Referred: **Page 2743**

Measures Placed on Calendar: **Page 2743**

Measures Read First Time: **Page 2743**

Enrolled Bills Presented: **Page 2743**

Executive Communications: **Page 2743**

Petitions and Memorials: **Page 2744**

Executive Reports of Committees: **Page 2753**

Additional Cosponsors: **Page 2756**

Statements on Introduced Bills/Resolutions: **Page 2757**

Additional Statements: **Page 2740**

Authority for Committees to Meet: **Page 2823**

Record Votes: One record vote was taken today. (Total—11) **Page 2726**

Adjournment: Senate convened at 10 a.m., and adjourned at 6:56 p.m., until 10 a.m., on Friday, February 18, 2005. (For Senate's program, see the remarks of Majority Leader in today's Record on page 2837.)

Committee Meetings

NATIONAL SCIENCE FOUNDATION: BUDGET

Committee on Appropriations: Subcommittee on VA, HUD, and Independent Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the National Science Foundation, after receiving testimony from John H. Marburger III, Director, Office of Science and Technology Policy; and Arden L. Bement, Jr., Director National Science Foundation, and Warren M. Washington, Chair, both of the National Science Board.

EMERGENCY SUPPLEMENTAL

Committee on Appropriations: Committee concluded a hearing to examine proposed legislation making emergency supplemental appropriations for the fiscal year ending September 30, 2005, after receiving testimony from Condoleezza Rice, Secretary of State.

DEFENSE AUTHORIZATION REQUEST

Committee on Armed Services: Committee concluded a hearing to examine the proposed Defense Authorization Request for Fiscal Year 2006 and the Future Years Defense Program, after receiving testimony from Donald H. Rumsfeld, Secretary, and Tina W. Jonas, Under Secretary, Comptroller, both of the Department of Defense; and General Richard B. Myers, USAF, Chairman, Joint Chiefs of Staff.

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported the nominations of Buddie J. Penn, of Virginia, to be an Assistant Secretary of the Navy, Admiral William J. Fallon, USN, to be Commander, U.S. Pacific Command, and 2,598 nominations in the Army, Navy, Air Force, and Marine Corps.

MEDICARE AND MEDICAID

Committee on the Budget: Committee held a hearing to examine rising health care costs and the impact on future generations relating to Medicare and Medicaid, receiving testimony from Thomas R. Saving, Public Trustee, Federal Hospital Insurance and Federal Supplementary Medical Insurance Trust Funds, Department of Health and Human Services; Jeffrey R. Brown, University of Illinois at Urbana-Champaign, Urbana; and Lois E. Quam, UnitedHealth Group, Minneapolis, Minnesota

FEDERAL LANDS RECREATION ENHANCEMENT ACT OVERSIGHT

Committee on Energy and Natural Resources: Subcommittee on National Parks concluded an oversight hearing to examine the National Park Service's implementation of the Federal Lands Recreation Enhancement Act (Public Law 108–447), after receiving testimony from P. Lynn Scarlett, Assistant Secretary of the Interior for Policy, Management, and Budget; Jill Nicoll, National Park Foundation, Washington, D.C.; and Stephanie M. Clement, Friends of Acadia, Bar Harbor, Maine.

NOMINATIONS

Committee on Finance: Committee concluded a hearing to examine the nominations of Daniel R. Levinson, of Maryland, to be Inspector General, Department of Health and Human Services, and Harold Damelin, of Virginia, to be Inspector General, and Raymond Thomas Wagner, Jr., of Missouri, to be a Member of the Internal Revenue Service Oversight Board, both of the Department of the Treasury, after the nominees testified and answered questions in their own behalf.

RUSSIA

Committee on Foreign Relations: Committee concluded a hearing to examine democracy in retreat in Russia, after receiving testimony from Steven Theede, YUKOS Oil Company, Moscow, Russia; Tim Osborne, Group MENATEP, London, United Kingdom; Anders Aslund, Carnegie Endowment for International Peace, Bruce P. Jackson, Project on Transitional Democracies, Stephen Nix, International Republican Institute, Nelson Ledsky, National Democratic Institute, Mary McClymont, Interaction, and Nancy Lindborg, Mercy Corps, all of Washington, D.C.; and Daniel Toole, UNICEF, New York, New York.

FEDERAL PROGRAMS

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce and the District of Columbia concluded a hearing to examine an overview of the Government Accountability Office high-risk list, focusing on ensuring Congressional oversight by bringing attention to government-wide management challenges and high-risk program areas, after receiving testimony from David M. Walker, Comptroller General of the United States, Government Accountability Office; and Clay Johnson III, Deputy Director for Management, Office of Management and Budget.

DRUG IMPORTATION

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine the price of drug reimportation, focusing on implications for United States consumers, pricing, research and development, and innovation, after receiving testimony from Grant D. Aldonas, Under Secretary of Commerce for International Trade; Robert M. Goldberg, Manhattan Institute for Policy Research Center for Medical Progress, New York, New York; Benjamin Zycher, Pacific Research Institute for Public Policy, San Francisco, California; Stephen Pollard, Centre for the New Europe, Brussels, Belgium; and Kevin Outterson, West Virginia University College of Law, Morgantown.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported S. 256, to amend title 11 of the United States Code, with amendments.

SMALL BUSINESS ADMINISTRATION BUDGET

Committee on Small Business and Entrepreneurship: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2006 for the Small Business Administration, after receiving testimony from Hector V. Barreto, Administrator, U.S. Small Business Administration; David Coit, North Atlantic Capital, Washington, D.C., on behalf of the National Association of Small Business Investment Companies; Daniel Betancourt, Association For Enterprise Opportunity, on behalf of the Community First Fund, and Patricia Sands, Spill-Guard, on behalf of the Women's Business Center of Northern Virginia, both of Arlington; John R. Massaua, Maine Small Business Development Center, Portland, on behalf of the Association of Small Business Development Centers; and Edward Tuvin, Community South Bank, Adamsville, Tennessee, on behalf of the National Association of Government Guaranteed Lenders, Inc.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

House of Representatives

Chamber Action

Measures Introduced: 117 public bills, H.R. 8, 873–988; 5 private bills, H.R. 989–993; and 19 resolutions, H.J. Res. 22–26; H. Con. Res. 70–78, and H. Res. 119–123, were introduced. **Page 2703**

Additional Cosponsors: **Page 2710**

Reports Filed: No reports were filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Capito to act as Speaker pro tempore for today. **Page 2631**

Class Action Fairness Act of 2005: The House passed S. 5, to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants, by a yea-and-nay vote of 279 yeas to 149 nays, Roll No. 38. **Page 2632**

Rejected the Brown (OH) motion to commit the bill to the Committee on the Judiciary with instructions to report the bill back to the House forthwith with amendments, by a recorded vote of 175 ayes to 249 noes, Roll No. 37. **Page 2664**

Rejected the Conyers amendment in the nature of a substitute by a yea-and-nay vote of 178 yeas to 247 nays, Roll No. 36. **Page 2653**

H. Res. 96, the rule providing for consideration of the bill was agreed to yesterday, February 16.

Suspension: The House agreed to suspend the rules and pass the following measure which was debated yesterday, February 16:

Honoring the life and legacy for former Lebanese Prime Minister Rafik Hariri: H. Res. 91, amended, honoring the life and legacy of former Lebanese Prime Minister Rafik Hariri, by a ⅔ yea-and-nay vote of 409 yeas with none voting "nay", Roll No. 39. **Page 2666**

Agreed to amend the title so as to read: condemning the terrorist bombing attack that occurred on February 14, 2005, in Beirut, Lebanon, that killed former Lebanese Prime Minister Rafik Hariri and killed and wounded others. **Page 2667**

Late Report: Agreed that the Committee on House Administration have until midnight on Thursday, February 24 to file a report to accompany H.R. 841, to require States to hold special elections to fill vacancies in the House of Representatives not later than 45 days after the vacancy is announced by the Speaker of the House of Representatives in extraordinary circumstances. **Page 2667**

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at 2 p.m. on Monday, February 21, unless it sooner has received a message from the Senate transmitting its concurrence in H. Con. Res. 66, in which case the House shall stand adjourned pursuant to that concurrent resolution. **Page 2667**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, March 2. **Page 2667**

Honoring the soldiers of the Army's Black Corps of Engineers during WWII: By unanimous consent, the House agreed to H. Con. Res. 67, honoring the soldiers of the Army's Black Corps of Engineers for their contributions in constructing the Alaska-Canada highway during World War II and recognizing the importance of these contributions to the subsequent integration of the military. **Page 2667**

Speaker pro tempore: Read a letter from the Speaker wherein he appointed Representative Tom Davis (VA) to act as Speaker pro tempore to sign enrolled bills and joint resolutions through Tuesday, March 1. **Page 2668**

Commission on Security and Cooperation in Europe—Appointment: The Chair announced the Speaker's appointment of the following Members to the Commission on Security and Cooperation in Europe: Representatives Cardin, Slaughter, Hastings (FL), and McIntyre. **Page 2668**

Presidential Message: Read a message from the President wherein he transmitted the 2005 Economic Report of the President—referred to the Joint Economic Committee and ordered printed (H. Doc. 109–1). **Page 2670**

Senate Message: Message received from the Senate today appears on page 2631.

Senate Referral: S. 384 was referred to the Committee on Government Reform. **Page 2701**

Quorum Calls—Votes: Three yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages 2663 and 2665–67. There were no quorum calls.

Adjournment: The House met at 10 a.m. and at 5:15 p.m., stands adjourned until 2 p.m. on Monday, February 21, unless it sooner receives a message from the Senate transmitting its concurrence with H. Con. Res. 66, in which case the House shall stand adjourned until 2 p.m. on Tuesday, March 1.

Committee Meetings

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on Office of the Inspector General, Agriculture, Testimony was heard from the following officials of the Department of Agriculture: Phyllis K. Fong, Inspector General; Joyce Fleischman, Deputy Inspector General; Robert Young, Assistant Inspector General, Audit; Mark Woods, Assistant Inspector General, Investigations; Walt Kowal, Director, Business Management and Procurement; and Dennis Kaplan, Deputy Director, Budget, Legislation and Regulatory Systems.

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense held a hearing on the Secretary of Defense. Testimony was heard from the following officials of the Department of Defense: Donald Rumsfeld, Secretary; GEN Richard B. Myers, USAF, Chairman, Joint Chiefs of Staff; and Tina W. Jonas, Under Secretary, Comptroller.

DEPARTMENT OF HOMELAND SECURITY

Committee on Appropriations: Subcommittee on The Department of Homeland Security held a hearing on Department of Homeland Security Management and Operations. Testimony was heard from Adm. James Loy, Deputy Secretary, Department of Homeland Security.

LABOR, HHS, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education and Related Agencies held a hearing on Corporation for Public Broadcasting. Testimony was heard from Kathleen Cox, President and CEO, Corporation for Public Broadcasting; Pat Mitchell, President and CEO, Public Broadcasting Service; and Kevin Klose, President and CEO, National Public Radio.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST FISCAL YEAR 2006

Committee on Armed Services: Held a hearing on the Fiscal Year 2006 National Defense budget request for the Department of the Navy. Testimony was heard from the following officials of the Department of the Navy: Gordon R. England, Secretary; ADM Vernon E. Clark, USN, Chief of Naval Operations; and GEN Michael W. Hagee, USMC, Commandant, U.S. Marine Corps.

DOMESTIC ENTITLEMENTS

Committee on the Budget: Held a hearing on Domestic Entitlements: Meeting the Needs. Testimony was heard from public witnesses.

JOB TRAINING IMPROVEMENT ACT OF 2005

Committee on Education and the Workforce: Ordered reported, as amended, H.R. 27, Job Training Improvement Act of 2005.

HEALTH CARE PRIORITIES FISCAL YEAR 2006

Committee on Energy and Commerce: Held a hearing entitled: "A Review of the Administration's FY 2006 Health Care Priorities." Testimony was heard from Michael O. Leavitt, Secretary of Health and Human Services.

DIGITAL TELEVISION TRANSITION

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet, hearing entitled "The Role of Technology in Achieving a Hard Deadline for the DTV Transition." Testimony was heard from Mark L. Goldstein, Director, Physical Infrastructure Issues, GAO; and public witnesses.

MONETARY POLICY

Committee on Financial Services: Held a hearing on Monetary Policy and the State of the Economy. Testimony was heard from Alan Greenspan, Chairman, Board of Governors, Federal Reserve System.

Prior to the hearing, the Committee met to consider pending Committee business.

MISCELLANEOUS MEASURE; BUDGET VIEWS AND ESTIMATES; WOUNDED ARMY GUARD RESERVE FORCES

Committee on Government Reform: Ordered reported H. Res. 41, Expressing the sense of the House of Representatives that a day should be established as "National Tartan Day" to recognize the outstanding achievements and contributions made by Scottish-Americans to the United States.

The Committee approved Budget Views and Estimates for Fiscal Year 2006 for submission to the Committee on the Budget.

The Committee also held a hearing entitled "Wounded Army Guard Reserve Forces: Increasing the Capacity to Care." Testimony was heard from Gregory D. Kutz, Director, Financial Management and Assurance, GAO; the following officials of the Department of Defense: Ellen Embrey, Deputy Assistant Secretary, Employment Health; Daniel Denning, Acting Assistant Secretary, Army, Manpower and Reserve Affairs; LTG Franklin L. Hagenbeck, USA, Deputy Chief of Staff, G–1; LTG Kevin C. Kiley, M.D., USA, Army Surgeon General; MG Charles Wilson, USA, Deputy Commander, Army Reserve Command, Philip E. Sakowitz, Jr., Deputy Director, Army Installations Management Agency; BG Raymond C. Byrne, Jr., USA, Acting State Adjutant General, Oregon; SFC John Allen, USA, B/3/20th Special Forces Group, National Guard, North Carolina; SFC Joseph Perez, USA, 72nd Military Police Company, National Guard, Nevada; CWO Officer Rodger L. Shuttleworth, USA, Chief, Reserve Component Personnel Support Services Branch, Army Human Resources Command, National Guardsman, Maryland; and MSG Daniel Forney, USA, Reserve Component Liaison, Medical Hold, Walter Reed Medical Center, Army Reservist, Pennsylvania.

CONTINUITY OF REPRESENTATION ACT OF 2005

Committee on House Administration: Ordered reported, as amended, H.R. 841, Continuity of Representation Act of 2005.

INTERNATIONAL RELATIONS BUDGET FISCAL YEAR 2006

Committee on International Relations: Held a hearing on the International Relations Budget for Fiscal Year 2006. Testimony was heard from Condoleezza Rice, Secretary of State.

NORTH KOREAN NUCLEAR CHALLENGE

Committee on International Relations: Subcommittee on Asia and the Pacific and the Subcommittee on International Terrorism and Nonproliferation held a joint hearing on the North Korean Nuclear Challenge: Is There a Way Forward? Testimony was heard from public witnesses.

TRADEMARK DILUTION REVISION ACT

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property held a hearing on H.R. 683, Trademark Dilution Revision Act of 2005. Testimony was heard from public witnesses.

OVERSIGHT—HEALTHY FORESTS IMPLEMENTATION

Committee on Resources: Subcommittee on Forests and Forest Health held an oversight hearing on GAO Five Year Update on Wildland Fire and Forest Service/Bureau of Land Management Accomplishments in Implementing the Healthy Forests Restoration Act. Testimony was heard from Robin M. Nazzaro, Director, Natural Resources and Environment, GAO; Mark Rey, Under Secretary, Natural Resources and Environment, USDA; Rebecca Watson, Assistant Secretary, Land and Minerals Management, Department of the Interior; and public witnesses.

NASA'S BUDGET PROPOSAL FISCAL YEAR 2006

Committee on Science: Held a hearing on NASA's Fiscal Year 2006 Budget Proposal. Testimony was heard from Fred Gregory, Acting Administrator, NASA.

MEDICAL LIABILITY REFORM

Committee on Small Business: Held a hearing entitled "Medical Liability Reform: Stopping the Skyrocketing Price of Health Care." Testimony was heard from public witnesses.

BUDGET VIEWS AND ESTIMATES

Committee on Veterans' Affairs: Began consideration of Budget Views and Estimates for Fiscal Year 2006 for submission to the Committee on the Budget.

PRESIDENT'S BUDGET FISCAL YEAR 2006—DEPARTMENT OF HEALTH AND HUMAN SERVICES; BUDGET VIEWS AND ESTIMATES

Committee on Ways and Means: Held a hearing on the President's Fiscal Year 2006 Budget for the Department of Health and Human Services. Testimony was heard from Michael O. Leavitt, Secretary of Health and Human Services.

The Committee approved Budget Views and Estimates for Fiscal Year 2006 for submission to the Committee on the Budget.

COMMITTEE ORGANIZATION

Committee on Ways and Means: Subcommittee on Trade met for organizational purposes.

BRIEFING—GLOBAL UPDATES

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on Global Updates. Testimony was heard from departmental witnesses.

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Friday, February 18, 2005

Senate

Chamber Action

Routine Proceedings, pages 2848–68

Measures Introduced: Eleven bills were introduced, as follows: S. 457–467. **Page 2861**

Washington's Farewell Address: Senator Burr read Washington's FarewellAddress. **Page 2848**

Nominations Received: Senate received the following nominations:

Jonathan Brian Perlin, of Maryland, to be Under Secretary for Health of the Department of Veterans Affairs for a term of four years.

Michael Jackson, of Virginia, to be Deputy Secretary of Homeland Security.

Patricia Lynn Scarlett, of California, to be Deputy Secretary of the Interior. **Page 2868**

Measures Referred: **Page 2859**

Measures Placed on Calendar: **Pages 2859, 2867**

Executive Communications: **Page 2859**

Additional Cosponsors: **Page 2861**

Statements on Introduced Bills/Resolutions: **Page 2861**

Additional Statements: **Page 2853**

Adjournment: Senate convened at 10 a.m., and, in accordance with the provisions of H. Con. Res. 66, adjourned at 10:54 a.m., until 2 p.m., on February 28, 2005.

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. Pursuant to H. Con. Res. 66, the House stands adjourned until 2 p.m. on Tuesday, March 1.

Committee Meetings

METRORAIL

Committee on Government Reform: Held a hearing entitled "The Capital Region's Critical Link: Ensuring Metrorail's Future As a Safe, Reliable and Affordable Transportation Option." Rayburn. Testimony was heard from the following officials of the Washington Metropolitan Area Transit Authority: Richard A. White, General Manager and Chief Executive Officer; and Dana Kauffman, Chairman of the Board; and public witnesses.

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Monday, February 28, 2005

Senate

Chamber Action

Routine Proceedings, pages 2899–2990

Measures Introduced: Eight bills and two resolutions were introduced, as follows: S. 468–475, and S. Res. 67–68. **Page 2971**

Measures Reported:

Reported on Wednesday, February 23, during the adjournment:

S. 47, to provide for the exchange of certain Federal land in the Santa Fe National Forest and certain non-Federal land in the Pecos National Historical Park in the State of New Mexico. (S. Rept. No. 109–7)

S. 74, to designate a portion of the White Salmon River as a component of the National Wild and Scenic Rivers System. (S. Rept. No. 109–8)

S. 153, to direct the Secretary of the Interior to conduct a resource study of the Rim of the Valley Corridor in the State of California to evaluate alternatives for protecting the resources of the Corridor. (S. Rept. No. 109–9)

S. 212, to amend the Valles Caldera Preservation Act to improve the preservation of the Valles Caldera. (S. Rept. No. 109–10)

S. 225, to direct the Secretary of the Interior to undertake a program to reduce the risks from and mitigate the effects of avalanches on recreational users of public land, with an amendment in the nature of a substitute. (S. Rept. No. 109–11)

S. 254, to direct the Secretary of the Interior to convey certain land to Lander County, Nevada, and the Secretary of the Interior to convey certain land to Eureka County, Nevada, for continued use as cemeteries. (S. Rept. No. 109–12) **Page 2971**

Reported on Monday, February 28:

S. 156, to designate the Ojito Wilderness Study Area as wilderness, to take certain land into trust for the Pueblo of Zia, with amendments. (S. Rept. No. 109–13) **Page 2971**

Measures Passed

Extension Living Well Week: Senate agreed to S. Res. 67, designating the second week of March 2005 as "Extension Living Well Week". **Page 2988**

Read Across America Day: Senate agreed to S. Res. 68, designating March 2, 2005, as "Read Across America Day". **Page 2988**

Bankruptcy Reform Act: Senate began consideration of S. 256, a bill to amend title 11 of the United States Code. **Page 2899**

A unanimous-consent agreement was reached providing for the consideration of the bill at 10:45 a.m., on Tuesday, March 1, 2005. **Page 2989**

Nominations Received: Senate received the following nominations:

John C. Dugan, of Maryland, to be Comptroller of the Currency for a term of five years.

William Cobey, of North Carolina, to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority for a term expiring May 30, 2010.

Nancy Ann Nord, of the District of Columbia, to be a Commissioner of the Consumer Product Safety Commission for the remainder of the term expiring October 26, 2005.

Nancy Ann Nord, of the District of Columbia, to be a Commissioner of the Consumer Product Safety Commission for a term of seven years from October 27, 2005.

Jeffrey Clay Sell, of Texas, to be Deputy Secretary of Energy.

Christopher J. Hanley, of Maryland, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2006.

Linda Morrison Combs, of North Carolina, to be Controller, Office of Federal Financial Management, Office of Management and Budget.

2 Air Force nominations in the rank of general.

6 Army nominations in the rank of general.
5 Coast Guard nominations in the rank of admiral.
4 Marine Corps nominations in the rank of general.
6 Navy nominations in the rank of admiral.
Routine lists in the Air Force, Army, Navy. **Page 2989**

Executive Communications: **Page 2969**

Additional Cosponsors: **Page 2971**

Statements on Introduced Bills/Resolutions: **Page 2973**

Additional Statements: **Page 2969**

Amendments Submitted: **Page 2987**

Notices of Hearings/Meetings: **Page 2988**

Privilege of the Floor: **Page 2988**

Adjournment: Senate convened at 2 p.m., and adjourned at 4:37 p.m., until 9:45 a.m., on Tuesday, March 1, 2005. (For Senate's program, see the remarks of Majority Leader in today's Record on page 2989.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. Pursuant to H. Con. Res. 66, the House stands adjourned until 2 p.m. on Tuesday, March 1.

Committee Meetings

No committee meetings were held.

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Tuesday, March 1, 2005

Senate

Chamber Action

Routine Proceedings, pages 2993–3066

Measures Introduced: Fourteen bills were introduced, as follows: S. 476–489. **Page 3048**

Measures Passed:

Permitting Use of Capitol Rotunda: Senate agreed to H. Con. Res. 79, permitting the use of the rotunda of the Capitol for a ceremony to award a Congressional gold medal to Jackie Robinson (posthumously), in recognition of his many contributions to the Nation. **Page 3064**

Bankruptcy Reform Act: Senate continued consideration of S. 256, a bill to amend title 11 of the United States Code, taking action on the following amendments proposed thereto: **Pages 3000, 3015**

Adopted:

By 63 yeas to 32 nays (Vote No. 12), Sessions Amendment No. 23, to clarify the safe harbor with respect to debtors who have serious medical conditions or who have been called or ordered to active duty in the Armed Forces and low income veterans. **Pages 3030, 3035**

Rejected:

By 38 yeas to 58 nays (Vote No. 13), Durbin Modified Amendment No. 16, to protect servicemembers and veterans from means testing in bankruptcy, to disallow certain claims by lenders charging usurious interest rates to servicemembers, and to allow servicemembers to exempt property based on the law of the State of their premilitary residence. **Pages 3008, 3035**

Pending:

Feingold Amendment No. 17, to provide a homestead floor for the elderly. **Page 3009**

Akaka Amendment No. 15, to require enhanced disclosure to consumers regarding the consequences of making only minimum required payments in the repayment of credit card debt. **Page 3015**

Leahy Amendment No. 26, to restrict access to certain personal information in bankruptcy documents. **Page 3031**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:15 a.m., on Wednesday, March 2, 2005, and that the Senate vote in relation to Feingold Amendment No. 17 (listed above), to be followed by a vote in relation to Akaka Amendment No. 15 (listed above); and provided further, that no amendment be in order to either amendment prior to those votes. **Page 3065**

Appointments:

British-American Interparliamentary Group: The Chair, on behalf of the President pro tempore, and upon the recommendation of the Majority Leader, pursuant to 22 U.S.C. 2761, as amended, appointed Senator Cochran as Chairman of the Senate Delegation to the British-American Interparliamentary Group conference during the 109th Congress. **Page 3064**

Nominations Received: Senate received the following nominations:

Brian Edward Sandoval, of Nevada, to be United States District Judge for the District of Nevada.
32 Air Force nominations in the rank of general.
30 Army nominations in the rank of general.
Routine lists in the Air Force. **Page 3065**

Messages From the House: **Page 3047**

Executive Communications: **Page 3047**

Additional Cosponsors: **Page 3049**

Statements on Introduced Bills/Resolutions: **Page 3050**

Additional Statements: Page 3045

Amendments Submitted: Page 3060

Notices of Hearings/Meetings: Page 3064

Authority for Committees to Meet: Page 3064

Privilege of the Floor: Page 3064

Record Votes: Two record votes were taken today. (Total—13) Pages 3035, 3036

Adjournment: Senate convened at 9:45 a.m., and adjourned at 7:03 p.m., until 9:15 a.m., on Wednesday, March 2, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 3065.)

Committee Meetings

DEFENSE AUTHORIZATION

Committee on Armed Services: Committee concluded a hearing to examine military strategy and operational requirements from combatant commanders in review of the Defense Authorization Request for fiscal year 2006, after receiving testimony from General James L. Jones, Jr., USMC, Commander, United States European Command, Supreme Allied Commander, Europe; General John P. Abizaid, USA, Commander, U.S. Central Command; and General Bryan D. Brown, USA, Commander, U.S. Special Operations Command.

NOMINATION

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the nomination of Ronald Rosenfeld, of Oklahoma, to be a Director of the Federal Housing Finance Board, after the nominee, who was introduced by former Oklahoma Governor Frank Keating, testified and answered questions in his own behalf.

BUDGET: DEFENSE

Committee on the Budget: Committee concluded a hearing to examine the President's proposed budget for fiscal year 2006 for defense, after receiving testimony from Paul Wolfowitz, Deputy Secretary, General Peter Pace, Vice Chairman, Joint Chiefs of Staff, and Tina Jonas, Under Secretary (Comptroller), all of the Department of Defense.

BUDGET: DEPARTMENT OF THE INTERIOR

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2006 for the Department of the Interior, after receiving testimony from Gale A. Norton, Secretary, and Lynn Scarlett, Assistant Secretary for Policy, Management, and Budget, both of the Department of the Interior.

DEFINED BENEFIT PENSION PLAN PROPOSAL

Committee on Finance: Committee held a hearing to examine the financial status of Pension Benefit Guaranty Corporation and the Administration's Defined Benefit Plan Funding Proposal, receiving testimony from Mark J. Warshawsky, Assistant Secretary of the Treasury for EconomicPolicy; Ann L. Combs, Assistant Secretary of Labor for the Employee Benefits Security Administration; Bradley D. Belt, Executive Director, Pension Benefit Guaranty Corporation; Larry Zimpleman, Principal Financial Group, Des Moines, Iowa, on behalf of the Business Roundtable; Alan Reuther, United Auto Workers, Washington, D.C.; and Randall S. Kroszner, The University of Chicago Graduate School of Business, Chicago, Illinois.

Hearings recessed subject to the call of the Chair.

FDA'S DRUG APPROVAL PROCESS

Committee on Health, Education, Labor, and Pensions: Committee held a hearing to examine Food and Drug Administration's (FDA) drug approval process, focusing on FDA's drug approval process after a sponsor demonstrates that their benefits outweigh their risks for a specific population and use, and that the drug meet meets standards for safety and efficacy, receiving testimony from Sandra L. Kweder, Deputy Director, Office of New Drugs, Food and Drug Administration, Department of Health and Human Services; Nancy Davenport-Ennis, National Patient Advocate Foundation, Scott Gottlieb, American Enterprise Institute, and William B. Schultz, Zuckerman Spaeder, LLP, all of Washington, D.C.; Thomas R. Fleming, University of Washington Department of Biostatistics, Seattle; David Fassler, University of Vermont College of Medicine, Burlington, on behalf of American Academy of Child and Adolescent Psychiatry and the American Psychiatric Association; and Abbey S. Meyers, National Organization for Rare Disorders, Danbury, Connecticut.

Hearings recessed until Thursday, March 3.

NATIVE HAWAIIAN GOVERNMENT REORGANIZATION ACT

Committee on Indian Affairs: Committee concluded a hearing to examine S. 147, to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity, after receiving testimony from Representative Case and Delegate Faleomavaega; Hawaii Governor Linda Lingle, Hawaii State Attorney General Mark Ben,Haunani Apoliona, Office of Hawaiian Affairs, Micah Kane, State Department of Hawaiian Home Lands, and Jade Danner, Council for Native Hawaiian Advancement, all of Honolulu; Tex Hall, National Congress of American Indians, Washington, D.C.; and Julie Kitka, Alaska Federation of Natives, Anchorage, Alaska.

NOMINATION

Committee on the Judiciary: Committee concluded a hearing to examine the nomination of William Gerry Myers III, of Idaho, to be United States Circuit Judge for the Ninth

Circuit, after the nominee, who was introduced by Senator Craig, testified and answered questions in his own behalf.

House of Representatives

Chamber Action

Measures Introduced: 40 public bills, H.R. 994–1033; 2 private bills, H.R. 1034–1035; and; 9 resolutions, H. Con. Res. 79–80, and H. Res. 124, 127–132 were introduced. **Page 3115**

Additional Cosponsors: **Page 3117**

Reports Filed: Reports were filed today as follows:

Filed on February 24, 2005: H.R. 841, to require States to hold special elections to fill vacancies in the House of Representatives not later than 45 days after the vacancy is announced by the Speaker of the House of Representatives in extraordinary circumstances, amended, referred sequentially to the House Committee on the Judiciary for a period ending not later than Feb. 24, 2005 (H. Rept. 109–8, Pt. 1);

Filed on February 25, 2005: H.R. 27, to enhance the workforce investment system of the Nation by strengthening one-stop career centers, providing for more effective governance arrangements, promoting access to a more comprehensive array of employment, training, and related services, establishing a targeted approach to serving youth, and improving performance accountability, amended (H. Rept. 109–9);

Supplemental report on H.R. 27, to enhance the workforce investment system of the Nation by strengthening one-stop career centers, providing for more effective governance arrangements, promoting access to a more comprehensive array of employment, training, and related services, establishing a targeted approach to serving youth, and improving performance accountability (H. Rept. 109–9, Pt. 2);

H. Res. 125, providing for consideration of H.R. 841, to require States to hold special elections to fill vacancies in the House of Representatives not later than 45 days after the vacancy is announced by the Speaker of the House of Representatives in extraordinary circumstances (H. Rept. 109–10); and

H. Res. 126, providing for consideration of H.R. 27, to enhance the workforce investment system of the Nation by strengthening one-step career centers, providing for more effective governance arrangements, promoting access to a more comprehensive array of employment, training, and related services, establishing a targeted approach to serving youth, and improving performance accountability (H. Rept. 109–11). **Page 3114**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Providing for acceptance of a statue of Sarah Winnemucca, presented by the people of Nevada: H. Con. Res. 5, amended, providing for the acceptance of a statue of Sarah Winnemucca, presented by the people of Nevada, for placement in National Statuary Hall, by a ⅔ yea and nay vote of 418 yeas with none voting "nay", Roll No. 40; **Pages 3068, 3078**

Permitting the use of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust: H. Con. Res. 63, permitting the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust, by a ⅔ yea and nay vote of 416 yeas with none voting "nay", Roll No. 41; **Pages 3071, 3079**

Recognizing the benefits and importance of school-based music education: H. Con. Res. 45, amended, recognizing the benefits and importance of school-based music education; and **Page 3073**

Congratulating Jewish communities on their seven year completion of the 11th cycle of the daily study of the Talmud: H. Res. 124, congratulating Jewish communities on their seven year completion of the 11th cycle of the daily study of the Talmud. **Page 3076**

Permitting the use of the Rotunda to award a Congressional gold medal to Jackie Robinson, posthumously: The House agreed to H. Con. Res. 79, permitting the use of the rotunda of the Capitol for a ceremony to award a Congressional gold medal to Jackie Robinson (posthumously), in recognition of his many contributions to the Nation. **Page 3072**

Recess: The House recessed at 3:07 p.m. and reconvened at 6:30 p.m. **Page 3078**

Senate Messages: Messages received from the Senate today appear on pages 3067 and 3085.

Senate Referrals: S. 125 was referred to the Committee on Transportation and Infrastructure; and S. 306 was held at the desk. **Page 3112**

Quorum Calls—Votes: Two yea and nay votes developed during the proceedings of today and appear on pages 3079–80. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 11 p.m.

Committee Meetings

USDA'S RULE PROVIDING FOR CANADIAN BEEF AND CATTLE IMPORTS

Committee on Agriculture: Held a hearing to Review the USDA's rule providing for Canadian beef and cattle imports. Testimony was heard from Mike Johanns, Secretary of Agriculture; and public witnesses.

SCIENCE, THE DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, AND RELATEDAGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Science, the Departments of State, Justice, and Commerce, and Related Agencies held a hearing on Attorney General. Testimony was heard from Alberto R. Gonzales, The Attorney General, Department of Justice.

ENFORCEMENT OF FEDERAL ANTI-FRAUD LAWS IN FOR-PROFIT EDUCATION

Committee on Education and the Workforce: Held a hearing entitled "Enforcement of Federal Anti-Fraud Laws in For-Profit Education." Testimony was heard from Representative Waters; Thomas A. Carter, Deputy Inspector General, Department of Education; and public witnesses.

STRENGTHENING OUR COMMUNITIES

Committee on Government Reform: Subcommittee on Federalism and the Census held a hearing entitled "Strengthening Our Communities—Is It the Right Step Toward Greater Efficiency and Improved Accountability?" Testimony was heard from Roy A. Bernardi, Deputy Secretary, Department of Housing and Urban Development; Clay Johnson III, Deputy Director, Management, OMB; David A. Sampson, Assistant Secretary, Economic Development, Department of Commerce; and public witnesses.

U.N. ORGANIZATION MISSION IN THE DEMOCRATIC REPUBLIC OF CONGO

Committee on International Relations: Subcommittee on Africa, Global Human Rights and International Operations held a hearing on United Nations Organization Mission in the Democratic Republic of Congo: A Case for Peacekeeping Reform. Testimony was heard from Kim R. Holmes, Assistant Secretary, Bureau of International Organization Affairs, Department of State; and public witnesses.

Prior to the hearing, the Subcommittee received a briefing on this subject. The Subcommittee was briefed by Jane Holl Lute, Assistant Secretary-General for Mission Support, Department of Peacekeeping Operations, United Nations.

OVERSIGHT—CORAL REEF CONSERVATION ACT OF 2000

Committee on Resources: Subcommittee on Fisheries and Oceans held an oversight hearing on the Coral Reef Conservation Act of 2000. Testimony was heard from Craig Manson, Assistant Secretary, Fish and Wildlife and Parks, Department of the Interior; Timothy R.E. Keeney, Deputy Assistant Secretary, Oceans And Atmosphere, NOAA, Department of Commerce; Katherine Andrews, Director, Coastal and Aquatic Managed Areas, Department of Environmental Protection, State of Florida; Athline Clark, Special Projects Program Manager, Division of Aquatic Resources, Department of Land and Natural Resources, State of Hawaii; Togiola T.A. Tulafono, Governor, American Samoa; Juan N. Babauta, Governor, Commonwealth of the Northern Mariana Islands; Felix Camacho, Governor, Guam; and a public witness.

CONTINUITY IN REPRESENTATION ACT OF 2005

Committee on Rules: Granted by voice vote, a structured rule on H.R 841, Continuity in Representation Act, providing 60 minutes of general debate with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on House Administration and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule provides that the amendment in the nature of a substitute recommended by the Committee on House Administration now printed in the bill shall be considered as an original bill for the purpose of amendment, which shall be considered as read. The rule waives all points of order against the committee amendment in the nature of a substitute. The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. The rule provides that the amendments made in order may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Ney and Representative Jackson-Lee (TX).

JOB TRAINING IMPROVEMENT ACT OF 2005

Committee on Rules: Granted, by voice vote, a structured rule providing one hour of general debate on H.R 27, Job Training Improvement Act, equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. The rule provides that the amendments printed in the report may be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Boehner and Representative Kildee, Tierney, Woolsey, Edwards, Hastings (FL), Scott (VA).

Résumé of Congressional Activity

FIRST SESSION OF THE ONE HUNDRED NINTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 4 through February 28, 2005

	Senate	*House*	*Total*
Days in session	20	14	..
Time in session	125 hrs., 12′	80 hrs., 39′	..
Congressional Record:			
Pages of proceedings	1,812	798	..
Extensions of Remarks	..	308	..
Public bills enacted into law	1	1	2
Private bills enacted into law	..	..	..
Bills in conference	..	..	..
Bills through conference	..	..	..
Measures passed, total	45	70	115
Senate bills	5	1	..
House bills	1	9	..
Senate joint resolutions	..	..	..
House joint resolutions	..	1	..
Senate concurrent resolutions	4	2	..
House concurrent resolutions	5	13	..
Simple resolutions	30	44	..
Measures reported, total*	37	9	46
Senate bills	18	..	..
House bills	..	3	..
Senate joint resolutions	..	..	..
House joint resolutions	..	..	..
Senate concurrent resolutions	..	..	..
House concurrent resolutions	..	..	..
Simple resolutions	19	6	..
Special reports	..	..	..
Conference reports	..	..	..
Measures pending on calendar	19	2	..
Measures introduced, total	554	1,220	1,774
Bills	466	993	..
Joint resolutions	6	26	..
Concurrent resolutions	14	78	..
Simple resolutions	68	123	..
Quorum calls	1	1	..
Yea-and-nay votes	11	31	..
Recorded votes	..	7	..
Bills vetoed	..	..	..
Vetoes overridden	..	..	..

These figures include all measures reported, even if there was no accompanying report. A total of 139 reports have been filed in the Senate, a total of 246 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 4 through February 28, 2005

Civilian nominations, totaling 114, disposed of as follows:

Confirmed	14
Unconfirmed	100

Other Civilian nominations, totaling 278, disposed of as follows:

Unconfirmed	278

Air Force nominations, totaling 1,056, disposed of as follows:

Confirmed	943
Unconfirmed	113

Army nominations, totaling 1,748, disposed of as follows:

Confirmed	1,191
Unconfirmed	557

Navy nominations, totaling 142, disposed of as follows:

Confirmed	56
Unconfirmed	86

Marine Corps nominations, totaling 1,233, disposed of as follows:

Confirmed	418
Unconfirmed	815

Summary

Total Nominations carried over from the First Session	0
Total nominations received	4,571
Total confirmed	2,622
Total unconfirmed	1,949
Total withdrawn	0
Total returned to the White House	0

Wednesday, March 2, 2005

Senate

Chamber Action

Routine Proceedings, pages 3137–3213

Measures Introduced: Ten bills were introduced, as follows: S. 490–499. **Page 3184**

Measures Passed:

Recognizing Contributions of Zhao Ziyang: Committee on Foreign Relations was discharged from further consideration of S. Res. 55, recognizing the contributions of the late Zhao Ziyang to the people of China, and the resolution was then agreed to. **Page 3211**

Deep-Vein Thrombosis Awareness Month: Committee on the Judiciary was discharged from further consideration of S. Res. 56, designating the month of March as Deep-Vein Thrombosis Awareness Month, in memory of journalist David Bloom, and the resolution was then agreed to. **Page 3212**

Acceptance of Statue: Senate agreed to H. Con. Res. 5, providing for the acceptance of a statue of Sarah Winnemucca, presented by the people of Nevada, for placement in National Statuary Hall. **Page 3212**

Permitting Use of the Capitol Rotunda: Senate agreed to H. Con. Res. 63, permitting the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust. **Page 3212**

Bankruptcy Reform Act: Senate continued consideration of S. 256, a bill to amend title 11 of the United States Code, taking action on the following amendments proposed thereto: **Page 3144**

Rejected:

By 40 yeas to 59 nays (Vote No. 14), Feingold Amendment No. 17, to provide a homestead floor for the elderly. **Page 3144**

By 40 yeas to 59 nays (Vote No. 15), Akaka Amendment No. 15, to require enhanced disclosure to consumers regarding the consequences of making only minimum required payments in the repayment of credit card debt. **Page 3146**

By 39 yeas to 58 nays (Vote No. 16), Kennedy Amendment No. 28, to exempt debtors whose financial problems were caused by serious medical problems from means testing. **Page 3177**

By 39 yeas to 58 nays (Vote No. 17), Kennedy Amendment No. 29, to provide protection for medical debt homeowners. **Page 3178**

By 37 yeas to 60 nays (Vote No. 18), Corzine Amendment No. 32, to preserve existing bankruptcy protections for individuals experiencing economic distress as caregivers to ill or disabled family members. **Pages 3161, 3178**

Pending:

Leahy Amendment No. 26, to restrict access to certain personal information in bankruptcy documents. **Page 3144**

Dayton Amendment No. 31, to limit the amount of interest that can be charged on any extension of credit to 30 percent. **Page 3162**

Feinstein Amendment No. 19, to enhance disclosures under an open end credit plan. **Page 3164**

Nelson (FL) Amendment No. 37, to exempt debtors from means testing if their financial problems were caused by identity theft. **Page 3171**

Durbin Amendment No. 38, to discourage predatory lending practices. **Page 3173**

Rockefeller Amendment No. 24, to amend the wage priority provision and to amend the payment of insurance benefits to retirees. **Page 3179**

A unanimous-consent agreement was reached providing for further consideration of the bill on Thursday, March 3, 2005, following the final disposition of S.J. Res 4 (listed below), vote in relation to Dayton Amendment No. 31 (listed above) to be followed by a vote in relation to Nelson (FL) Amendment No. 37, with no amendments in order to the amendments prior to the votes. **Page 3212**

Congressional Rule Disapproval—Agreement: A unanimous-consent agreement was reached providing for consideration of S.J. Res. 4, providing for congressional disapproval of the rule submitted by the Department of Agriculture under chapter 8 of title 5, United States Code, relating to risk zones for introduction of bovine spongiform encephalopathy, at 9:30 a.m., on Thursday, March 3, 2005, for up to 3 hours of debate, equally divided, and that following the use or yielding back of time, the Senate vote on the resolution. **Page 3212**

Messages From the President: Senate received the following messages from the President of the United States:

Transmitting, pursuant to law, a report relating to the interdiction of aircraft engaged in illicit drug trafficking; which was referred to the Committee on Foreign Relations. (PM–7) **Page 3184**

Transmitting, pursuant to law, a report on the national emergency with respect to Zimbabwe; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–8) **Page 3184**

Nominations Received: Senate received the following nominations:

3 Army nominations in the rank of general.

2 Navy nominations in the rank of admiral. **Page 3213**

Messages From the House: **Page 3183**

Measures Referred: **Page 3183**

Measures Placed on Calendar: Page 3183

Executive Communications: Page 3183

Additional Cosponsors: Page 3185

Statements on Introduced Bills/Resolutions: Page 3186

Additional Statements: Page 3183

Amendments Submitted: Page 3207

Notices of Hearings/Meetings: Page 3211

Authority for Committees to Meet: Page 3211

Privilege of the Floor: Page 3211

Record Votes: Five record votes were taken today. (Total–18) Pages 3146, 3147, 3178, 3179

Adjournment: Senate convened at 9:15 a.m., and adjourned at 6:58 p.m., until 9:30 a.m., on Thursday, March 3, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 3212.)

Committee Meetings

COMMITTEE ORGANIZATION

Committee on Agriculture, Nutrition, and Forestry: On February 17, 2005, Committee announced the following subcommittee assignments:

Subcommittee on Production and Price Competitiveness: Senators McConnell (Chairman), Cochran, Roberts, Santorum, Coleman, Grassley, Conrad, Dayton, Baucus, Leahy, and Lincoln.

Subcommittee on Marketing, Inspection, and Product Promotion: Senators Talent (Chairman), McConnell, Thomas, Roberts, Grassley, Lugar, Baucus, Nelson (NE), Salazar, Conrad, and Stabenow.

Subcommittee on Forestry, Conservation, and Rural Revitalization: Senators Crapo (Chairman), Lugar, Cochran, Talent, Thomas, Coleman, Lincoln, Leahy, Nelson (NE), Dayton, and Salazar.

Subcommittee on Research, Nutrition, and General Legislation: Senators Santorum (Chairman), Lugar, Crapo, Cochran, McConnell, Roberts, Leahy, Stabenow, Lincoln, Baucus, and Nelson (NE).

APPROPRIATIONS: DEPARTMENT OF EDUCATION

Committee on Appropriations: Subcommittee on Labor, Health, Human Services, Education and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the Department of Education, after receiving testimony from Margaret Spellings, Secretary of Education.

APPROPRIATIONS: DEFENSE BUDGET

Committee on Appropriations: Subcommittee on Defense concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the defense budget, after receiving testimony from Tina W. Jonas, Under Secretary of Defense (Comptroller); and Admiral Robert F. Willard, Director, Force Structure, Resources, and Assessment, J8, The Joint Staff.

APPROPRIATIONS: IMMIGRATION AND CUSTOMS

Committee on Appropriations: Subcommittee on Homeland Security concluded a hearing to examine proposed budget estimates for fiscal year 2006 for states citizenship and immigration services, Customs and Border Protection, Immigration and Customs Enforcement, after receiving testimony from Robert Bonner, Commissioner, Customs and Border Protection, Michael J. Garcia, Assistant Secretary for Immigration and Customs Enforcement, and Eduardo Aguirre, Jr., Director, U.S. Citizenship and Immigration Services, all of the Department of Homeland Security.

COMMITTEE ORGANIZATION

Committee on Armed Services: On February 18, 2005, Committee announced the following subcommittee assignments:

Subcommittee on Airland: Senators McCain (Chairman), Inhofe, Sessions, Ensign, Talent, Chambliss, Graham, Dole, Lieberman, Reed, Akaka, Nelson (FL), Dayton, Bayh, and Clinton.

Subcommittee on Emerging Threats and Capabilities: Senators Cornyn (Chairman), Roberts, Collins, Ensign, Talent, Graham, Dole, Thune, Reed, Kennedy, Byrd, Nelson (FL), Nelson (NE), Bayh, and Clinton.

Subcommittee on Personnel: Senators Graham (Chairman), McCain, Collins, Chambliss, Dole, Nelson (NE), Kennedy, Lieberman, and Akaka.

Subcommittee on Readiness and Management Support: Senators Ensign (Chairman), McCain, Inhofe, Roberts, Sessions, Chambliss, Cornyn, Thune, Akaka, Byrd, Nelson (FL), Nelson (NE), Dayton, Bayh, and Clinton.

Subcommittee on Seapower: Senators Talent (Chairman), McCain, Collins, Chambliss, Kennedy, Lieberman, and Reed.

Subcommittee on Strategic Forces: Senators Sessions (Chairman), Inhofe, Roberts, Graham, Cornyn, Thune, Nelson (FL), Byrd, Reed, Nelson (NE), and Dayton.

HUMAN INTELLIGENCE ACTIVITIES

Committee on Armed Services: Committee met in closed session to receive a briefing regarding Department of Defense human intelligence activities from Stephen A. Cambone, Under Secretary for Intelligence, and Vice Admiral Lowell E. Jacoby, USN, Director, Defense Intelligence Agency, both of the Department of Defense; and a representative of the intelligence community.

COMMITTEE ORGANIZATION

Committee on Energy and Natural Resources: On January 26, 2005, Committee adopted its rules of procedure for the 109th Congress.

FOREST SERVICE BUDGET

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2006 for USDA Forest Service, after receiving testimony from Mark E. Rey, Secretary of Agriculture for Natural Resources and Environment, and Dale N. Bosworth, Forest Service Chief, both of the Department of Agriculture.

FOREIGN ASSISTANCE OVERSIGHT

Committee on Foreign Relations: Committee concluded an oversight hearing to examine foreign assistance, focusing on South Asia and assisting in keeping the region free from terrorism, prosperous and economically integrated, governed through accountable democratic institutions, and a moderator in the Muslim world, after receiving testimony from Donald Camp, Deputy Assistant Secretary for South Asian Affairs, David M. Satterfield, Acting Assistant Secretary for Near Eastern Affairs, Michael E. Ranneberger, Principal Deputy Assistant Secretary for African Affairs, Roger F. Noriega, Assistant Secretary for Western Hemisphere Affairs, Evans Revere, Acting Assistant Secretary for East Asian and Pacific Affairs, and Robert A. Bradtke, Principal Deputy Assistant Secretary for Europe and Eurasian Affairs, all of the Department of State; and James R. Kunder, Assistant Administrator for Asia and the Near East, Lloyd O. Pierson, Assistant Administrator for Africa, Adolfo Franco, Assistant Administrator for Latin America and the Caribbean, and Kent R. Hill, Assistant Administrator for Europe and Eurasia, all of United States Agency for International Development.

COMMITTEE ORGANIZATION

Committee on Homeland Security and Governmental Affairs: On February 10, 2005, Committee approved for reporting the adoption of its rules of procedure for the 109th Congress.

Also, on March 1, 2005, the Permanent Subcommittee on Investigations adopted its rules of procedures for the 109th Congress.

BUSINESS MEETING

Committee on Rules and Administration: On February 14, 2005, Committee ordered favorably reported an original resolution (S. Res. 49) authorizing expenditures by the Committee.

Also, on February 14, 2005, Committee ordered favorably reported an original resolution (S. Res. 50) authorizing expenditures by the committees of the Senate.

COMMITTEE ORGANIZATION

Committee on Small Business and Entrepreneurship: On January 26, 2005, Committee adopted its rules of procedure for the 109th Congress.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Measures Introduced: 30 public bills, H.R. 1036–1065; 2 private bills, H.R. 1066–1067; and; 13 resolutions, H.J. Res. 27–36; H. Con. Res. 81, and H. Res. 133–134 were introduced. **Page 3314**

Additional Cosponsors: **Page 3316**

Reports Filed: No reports were filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative LaHood to act as Speaker Pro Tempore for today. **Page 3214**

Chaplain: The prayer was offered today by Rev. James T. Akers, National Chaplain, The American Legion. **Page 3214**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Congratulating ASME on their 125th anniversary: S. Con. Res. 13, congratulating ASME on their 125th anniversary, celebrating the achievements of ASME members, and expressing the gratitude of the American people for ASME's contributions; and **Page 3215**

Ensuring the protection of beneficiaries of United States humanitarian assistance: H.R. 912, to ensure the protection of beneficiaries of United States humanitarian assistance, by a ⅔ yea and nay vote of 416 yeas with none voting "nay" and one voting "present", Roll No. 43. **Pages 3216, 3230**

Recess: The House recessed at 10:55 a.m. and reconvened at 2:05 p.m. **Page 3222**

Job Training Improvement Act of 2005: The House passed H.R. 27, to enhance the workforce investment system of the Nation by strengthening one-stop career centers, providing for more effective governance arrangements, promoting access to a more comprehensive array of employment, training, and related services, establishing a targeted approach to serving youth, and improving performance accountability, by a recorded vote of 224 ayes to 220 noes, Roll No 48. **Page 3231**

Rejected the Kildee motion to recommit the bill to the Committee on Education and the Workforce with instructions to report the bill back to the House forthwith with an amendment, by a recorded vote of 197 ayes to 228 noes, Roll No. 47. **Page 3289**

The amendment in the nature of a substitute recommended by the Committee on Education and the Workforce, and now printed in the bill, was considered as an original bill for the purpose of amendment. **Page 3253**

Rejected:

Kildee amendment (no. 1 printed in H. Rept. 109–11) that sought to strike all provisions related to youth (by a recorded vote of 200 ayes to 222 noes, Roll No. 44); **Pages 3276, 3286**

Velázquez amendment (no. 2 printed in H. Rept. 109–11) that sought to allow unemployed workers to use their Personal Reemployment Account funds to cover the borrower guarantee costs of 7(a) loans (by a recorded vote of 202 ayes to 221 noes, Roll No. 45); and **Pages 3278, 3287**

Scott (VA) amendment (no. 3 printed in H. Rept. 109–11) that sought to strike the provision that protects the hiring rights of faith-based organizations when the participate in WIA programs (by a recorded vote of 186 ayes to 239 noes, Roll No. 46). **Pages 3279, 3280**

H. Res. 126, the rule providing for consideration of the bill was agreed to by a yea and nay vote of 227 yeas to 191 nays, Roll No. 42. **Page 3222**

Recess: The House recessed at 2:56 p.m. and reconvened at 3:15 p.m. **Page 3229**

Presidential Messages: Read a message from the President wherein he notified Congress of the continuation of the national emergency blocking the property of persons undermining democratic processes or institutions in Zimbabwe—referred to the Committee on International Relations and ordered printed (H. Doc. 109–12); and **Page 3291**

Read a message from the President where in transmitted a report relating to the interdiction of aircraft engaged in illicit drug trafficking—referred to the Committee on International Relations and ordered printed (H. Doc. 109–13). **Page 3291**

Senate Message: Message received from the Senate today appears on page 3298.

Quorum Calls—Votes: Two yea and nay votes and five recorded votes developed during the proceedings of today and appear on pages 3229–31, 3286–88, and 3290–91. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 10:38 p.m.

Committee Meetings

AGRICULTURE, RURAL DEVELOPMENT, FDA, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on Under Secretary for Food and Safety. Testimony was heard from the following officials of the USDA: Merle Pierson, Acting Under Secretary, Food Safety; Barbara J. Masters, Acting Administrator, Food Safety and Inspection Service; and Dennis Kaplan, Budget Officer.

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense held a hearing on Army Posture. Testimony was heard from the following officials of the Department of the Army: Francis J. Harvey, Secretary; and GEN J. Schoomaker, USA, Chief of Staff.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS

Committee on Appropriations: Subcommittee on Foreign Operations, Export Financing, and Related Agencies held a hearing on HIV/AIDS Budget. Testimony was heard from Ambassador Randall L. Tobias, U.S. Global AIDS Coordinator.

THE DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS

Committee on Appropriations: Subcommittee on The Department of Homeland Security held a hearing on Secretary of Homeland Security. Testimony was heard from Michael Chertoff, Secretary of Homeland Security.

INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held a hearing on Secretary of the Interior. Testimony was heard from Gale A. Norton, Secretary of the Interior.

MILITARY QUALITY OF LIFE, AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Quality of Life, and Veterans Affairs, and Related Agencies held a hearing on Department of Defense Privatization Issues. Testimony was heard from the following officials of the Department of Defense: William A. Armbruster, Deputy Assistant Secretary, Privatization and Partnerships, Department of the Army; Wayne Arny, Deputy Assistant Secretary, Installations and Facilities, Department of the Navy; Fred Kuhn, Deputy Assistant Secretary, Installations, Department of the Air Force; and Phil Grone, Deputy Under Secretary, Installations and Environment.

The Subcommittee also held a hearing on Department of Defense Budget Overview. Testimony was heard from the following officials of the Department of Defense: Tina W. Jonas, Under Secretary, Comptroller; and Phil Grone, Deputy Under Secretary, Installations and Environment.

SCIENCE, THE DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Science, the Departments of State, Justice, and Commerce, and Related Agencies held a hearing on Secretary of Commerce. Testimony was heard from Carlos M. Gutierrez, Secretary of Commerce.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST FISCAL YEAR 2006

Committee on Armed Services: Continued hearings on the Fiscal Year 2006 National Defense Authorization budget request. Testimony was heard from the following officials of the Department of the Army: GEN John Abizaid, USA, Combatant Commander, U.S. Central Command and GEN Bryan D. Brown, USA, Combatant Commander, U.S. Special Operations Command.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST FISCAL YEAR 2006

Committee on Armed Services: Subcommittee on Projection Forces held a hearing on the Fiscal Year 2006 National Defense Authorization budget request—Navy Research and Development: Programs in Support of the War on Terrorism, Naval Transformation, and Future Naval Capabilities. Testimony was heard from the following officials of the Department of the Navy: John J. Young, Assistant Secretary, Research, Development and Acquisition; VADM Joseph A. Sestrak, USN, Deputy Chief of Naval Operations, Warfare Requirements and Programs; VADM Lewis W. Crenshaw, USN, Deputy Chief of Naval Operations, Resources, Requirements and Assessments; RADM Jay M. Cohen, USN, Chief of Naval Research; LTG Robert Magnus, USMC, Deputy Commandant, Programs and Resources; and LTG James N. Mattis, USMC, Commanding General, Marine Corps Combat Development Command.

NATIONAL DEFENSE AUTHORIZATION REQUEST FISCAL YEAR 2006

Committee on Armed Services: Subcommittee on Strategic Forces held a hearing on the National Defense Authorization budget request. Testimony was heard from the following officials of the Department of Energy: Ambassador Linton F. Brooks, Administrator, National Nuclear Security Administration; and Paul M. Golan, Principal Deputy Assistant Secretary, Environmental Management.

ECONOMIC OUTLOOK AND CURRENT FISCAL ISSUES

Committee on the Budget: Held a hearing on the Economic Outlook and Current Fiscal Issues. Testimony was heard from Alan Greenspan, Chairman, Board of Governors, Federal Reserve System.

RETIREMENT SECURITY CRISIS

Committee on Education and the Workforce: Held a hearing entitled "The Retirement Security Crisis: The Administration's Proposal for Pension Reform and its Implications for Workers and Taxpayers." Testimony was heard from Ann Combs, Assistant Secretary, Employee Benefits Security Administration; Mark Warshawsky, Assistant Secretary, Economic Policy, Department of the Treasury; Bradley Belt, Executive Director, Pension Benefit Guaranty Corporation; and public witnesses.

COMMUNICATIONS MARKETPLACE COMPETITION

Committee on Energy and Commerce: Held a hearing entitled "Competition in the Communications Marketplace: How Technology is Changing the Structure of the Industry." Testimony was heard from public witnesses.

TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS—CONFORMITY PROVISIONS

Committee on Energy and Commerce: Subcommittee on Energy and Air Quality held a hearing entitled "Clean Air Act Transportation Conformity Provisions Contained in H.R. 3, Transportation Equity Act: A Legacy for Users." Testimony was heard from Jeffrey R. Holmstead, Assistant Administrator, Air and Radiation, EPA; Charles D. Nottingham, Associate Administrator, Policy, Federal Highway Administration, Department of Transportation; and public witnesses.

OVERSIGHT—HUD AND THE BUDGET REQUEST FISCAL YEAR 2006

Committee on Financial Services: Held an oversight hearing on the Department of Housing and Urban Development, including the Department's budget request for fiscal year 2006. Testimony was heard from Alphonso Jackson, Secretary of Housing and Urban Development.

SECURITY PERSONNEL SYSTEM IMPLEMENTATION—DEPARTMENT OF HOMELAND SECURITY

Committee on Government Reform: Subcommittee on Federal Workforce and Agency Organization held a hearing entitled "The Countdown to Completion: Implementing the New Department of Homeland Security Personnel System." Testimony was heard from David M. Walker, Comptroller General, GAO; Neil A.G. McPhie, Chairman, Merit Systems Protection Board; Ronald Sanders, Associate Director, Strategic Human Resources Policy, OPM; Ronald James, Chief Human Capital Officer, Department of Homeland Security; and public witnesses.

PROTECTING PENSIONS

Committee on Government Reform: Subcommittee on Government Management, Finance, and Accountability held a hearing entitled "Protecting Pensions and Ensuring the Solvency of PBGC." Testimony was heard from David M. Walker, Comptroller General, GAO; Bradley Belt, Executive Director, Pension Benefit Guaranty Corporation; and a public witness.

EMERGING THREATS

Committee on Government Reform: Subcommittee on National Security, Emergency Threats and International Relations, hearing entitled "Emerging Threats: Overclassification and Psuedo-classification." Testimony was heard from J. William Leonard, Director, Information Security Oversight Office, National Archives and Records Administration; RADM Christopher A. McMahon, USMS, Acting Director, Departmental Office of Intelligence, Security, and Emergency Response, Department of Transportation; Harold Rlyea, Specialist in American National Government, CRS, Library of Congress; Richard Ben-Veniste, Commissioner, National Commission on Terrorist Attacks Upon the United States; and public witness.

"PROPOSED FY 2006 BUDGET: INTEGRATING HOMELAND SECURITY SCREENING OPERATIONS"

Committee on Homeland Security: Subcommittee on Economic Security, Infrastructure Protection and Cybersecurity held a hearing entitled "Proposed FY 2006 Budget: Integrating Homeland Security Screening Operations." Testimony was heard from the following officials of the Department of Homeland Security: Jim Williams, Director, US–VISIT Program, Border and Transportation Security Directorate; Carol DiBattiste, Deputy Administrator, Transportation Security Administration; and Deborah J. Spero, Deputy Commissioner, Bureau of U.S. Customs and Border Protection.

MISCELLANEOUS MEASURES

Committee on International Relations: Subcommittee on the Middle East and Central Asia approved for full Committee action, as amended, the following resolutions: H. Con. Res. 18, Expressing the grave concern of Congress regarding the continuing gross violations of human rights and civil liberties of the Syrian and Lebanese people by the Government of the Syrian Arab Republic; and H. Con. Res. 32, Expressing the grave concern of Congress regarding the occupation of the Republic of Lebanon by the Syrian Arab Republic.

CRISIS IN NEPAL

Committee on International Relations: Subcommittee on Asia and the Pacific held a hearing on the Crisis in Nepal. Testimony was heard from Donald Camp, Principle Deputy Assistant Secretary, South Asia Bureau, Department of State.

UN OPERATIONS: INTEGRITY AND ACCOUNTABILITY

Committee on International Relations: Subcommittee on Oversight and Investigations held a hearing on United Nations Operations: Integrity and Accountability. Testimony was heard from Patrick F. Kennedy, Ambassador to the United Nations, Management and Reform, U.S. Mission to the United Nations, Department of State and Joseph A. Christoff, Director, International Affairs and Trade Teams, GAO.

PRESCRIPTIONS FOR HEALTH CARE SOLUTIONS

Committee on Small Business: Held a hearing entitled "Prescriptions for Health Care Solutions." Testimony was heard from Representative King of Iowa; Mike O'Grady, Assistant Secretary, Planning and Evaluation, Department of Health and Human Services; and public witnesses.

TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS

Committee on Transportation and Infrastructure: Ordered reported, as amended, H.R. 3, Transportation Equity Act: A Legacy for Users.

BUDGET

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on the Budget. Testimony was heard from departmental witnesses.

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Thursday, March 3, 2005

Senate

Chamber Action

Routine Proceedings, pages 3383–3479

Measures Introduced: Thirty bills and three resolutions were introduced, as follows: S. 500–529, and S. Res. 69–71. **Page 3429**

Measures Passed:

Congressional Rule Disapproval: By a vote of 52 yeas to 46 nays (Vote No. 19), Senate passed S.J. Res. 4, providing for congressional disapproval of the rule submitted by the Department of Agriculture under chapter 8 of title 5, United States Code, relating to risk zones for introduction of bovine spongiform encephalopathy. **Page 3385**

Commemorating 40th Anniversary of Bloody Sunday: Senate agreed to S. Res. 70, commemorating the 40th anniversary of Bloody Sunday. **Pages 3474, 3478**

Bankruptcy Reform Act: Senate continued consideration of S. 256, a bill to amend title 11 of the United States Code, taking action on the following amendments proposed thereto: **Page 3404**

Adopted:

Specter Amendment No. 48, to increase bankruptcy filing fees to pay for the additional duties of United States trustees and the new bankruptcy judges added by this Act. **Pages 3409, 3419**

Rejected:

By 24 yeas to 74 nays (Vote No. 20), Dayton Amendment No. 31, to limit the amount of interest that can be charged on any extension of credit to 30 percent. **Pages 3404, 3406**

By 37 yeas to 61 nays (Vote No. 21), Nelson (FL) Amendment No. 37, to exempt debtors from means testing if their financial problems were caused by identity theft. **Page 3407**

By 40 yeas to 58 nays (Vote No. 22), Durbin Amendment No. 38, to discourage predatory lending practices. **Page 3409**

By 39 yeas to 56 nays (Vote No. 23), Schumer Amendment No. 42, to limit the exemption for asset protection trusts. **Pages 3405, 3417**

By 40 yeas to 54 nays (Vote No. 24), Rockefeller Amendment No. 24, to amend the wage priority provision and to amend the payment of insurance benefits to retirees. **Page 3420**

By 40 yeas to 54 nays (Vote No. 25), Durbin Amendment No. 49, to protect employees and retirees from corporate practices that deprive them of their earnings and retirement savings when a business files for bankruptcy. **Pages 3410, 3420**

Pending:

Leahy Amendment No. 26, to restrict access to certain personal information in bankruptcy documents. **Page 3404**

Feinstein Amendment No. 19, to enhance disclosures under an open end credit plan. **Page 3404**

Kennedy Amendment No. 44, to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage. **Pages 3404, 3405**

Dorgan/Durbin Amendment No. 45, to establish a special committee of the Senate to investigate the awarding and carrying out of contracts to conduct activities in Afghanistan and Iraq and to fight the war on terrorism. **Page 3408**

Pryor Amendment No. 40, to amend the Fair Credit Reporting Act to prohibit the use of any information in any consumer report by any credit card issuer that is unrelated to the transactions and experience of the card issuer with the consumer to increase the annual percentage rate applicable to credit extended to the consumer. **Page 3409**

Reid (for Baucus) Amendment No. 50, to amend section 524(g)(1) of title 11, United States Code, to predicate the discharge of debts in bankruptcy by an vermiculite mining company meeting certain criteria on the establishment of a health care trust fund for certain individuals suffering from an asbestos related disease. **Page 3421**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Friday, March 4, 2005; that in addition to Kennedy Amendment No. 44 (listed above), it be in order for Senator Santorum to offer a first degree amendment related to the minimum wage issue; that on Monday, March 7, 2005, there be 3 hours of debate equally divided between Senator Santorum and Senator Kennedy, or their designees; and that at 5:30 p.m., on Monday, March 7, 2005, the Senate proceed to a vote on Kennedy Amendment No. 44, to be followed by a vote on the amendment offered by Senator Santorum, with no amendments in order to either amendment, and that if either amendment does not receive 60 votes in the affirmative, that the Senate action on the amendment be vitiated and the amendment be immediately withdrawn. **Page 3479**

Messages From the House: **Page 3427**

Measures Referred: **Page 3427**

Executive Communications: **Page 3427**

Petitions and Memorials: **Page 3428**

Additional Cosponsors: **Page 3430**

Statements on Introduced Bills/Resolutions: **Page 3431**

Additional Statements: **Page 3426**

Amendments Submitted: **Page 3474**

Notices of Hearings/Meetings: **Page 3478**

Authority for Committees to Meet: **Page 3478**

Record Votes: Seven record votes were taken today. (Total—25) **Pages 3403, 3407, 3409, 3419–21**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 7:15 p.m., until 9:30 a.m., on Friday, March 4, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 3479.)

Committee Meetings

APPROPRIATIONS: U.S. FOREST SERVICE

Committee on Appropriations: Subcommittee on Interior concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the U.S. Forest Service, after receiving testimony from Mark E. Rey, Under Secretary for Natural Resources and Environment, and Dale N. Bosworth, Forest Service Chief, both of the Department of Agriculture.

DEFENSE AUTHORIZATION REQUEST

Committee on Armed Services: Committee continued hearings to examine the proposed Defense Authorization Request for fiscal year 2006 and the Future Years Defense Program, after receiving testimony from General James L. Jones, Jr., USMC, Commander, U.S. European Command and Supreme Allied Commander, Europe; General John P. Abizaid, USA, Commander, U.S. Central Command; and General Bryan D. Brown, USA, Commander, U.S. Special Operations Command.

COMMITTEE ORGANIZATION

Committee on the Budget: On January 31, 2005, Committee adopted its rules of procedure for the 109th Congress.

DEPARTMENT OF ENERGY BUDGET

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2006 for the Department of Energy, after receiving testimony from Samuel W. Bodman, Secretary of Energy.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported an original bill, entitled Foreign Relations Authorization Act, fiscal years 2006 and 2007, to authorize appropriations for the Department of State and international broadcasting activities for fiscal years 2006 and 2007, for foreign assistance programs for fiscal years 2006 and 2007.

DRUG SAFETY

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine the Food and Drug Administration's process of ensuring drug safety, after receiving testimony from Janet Woodcock, Acting Deputy Commissioner for Operations, Food and Drug Administration, Department of Health and Human Services; Cecil B. Wilson, American Medical Association, Winter Park, Florida; Keith L. Carson, The Williamsburg BioProcessing Foundation, Virginia Beach, Virginia; Raymond L. Woosley, University of Arizona Critical Path Institute, Tucson; and Bruce M. Psaty, University of Washington Cardiovascular Health Research Unit, Seattle.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Terrence W. Boyle, of North Carolina, to be United States Circuit Judge for the Fourth Circuit, James C. Dever III, to be United States District Judge for the Eastern District of North Carolina, and Robert J. Conrad, Jr., to be United States District Judge for the Western District of North Carolina, who were introduced by Senators Dole and Burr, after each nominee testified and answered questions in their own behalf.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

MEDICARE MODERNIZATION ACT

Special Committee on Aging: Committee concluded a hearing to examine implementation of the Medicare Modernization Act regarding delivering prescription drugs to low-income beneficiaries eligible for both Medicare and Medicaid, dual eligibles, after receiving testimony from Mark B. McClellan, Administrator, Centers for Medicare and Medicaid Services, Department of Health and Human Services; Tina Kitchin, Oregon Department of Human Services, Salem; Carl Clark, Mental Health Center of Denver, Denver, Colorado; and Wendy Gerlach, Roeschen's Omnicare Pharmacy, Milwaukee, Wisconsin.

House of Representatives

Chamber Action

Measures Introduced: 66 public bills, H.R. 1068–1133; and 8 resolutions, H. Con. Res. 82–86, and H. Res. 135–137, were introduced. **Page 3377**

Additional Cosponsors: **Page 3381**

Reports Filed: No reports were filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative LaTourette to act as Speaker Pro Tempore for today. **Page 3341**

Continuity in Representation Act of 2005: The House passed H.R. 841, to require States to hold special elections to fill vacancies in the House of Representatives not later than 45 days after the vacancy is announced by the Speaker of the House of Representatives in extraordinary circumstances, by voice vote. The voice vote was later vacated and the measure was passed by a recorded vote of 329 ayes to 68 noes, Roll No. 52. **Page 3349**

Rejected the Conyers motion to recommit the bill to the Committee on House Administration with instructions to report the bill back to the House forthwith with an amendment, by a recorded vote of 196 ayes to 223 noes, Roll No. 51. **Page 3364**

The amendment in the nature of a substitute recommended by the Committee on House Administration, now printed in the bill, was considered as an original bill for the purpose of amendment. **Page 3355**

Agreed to:

Manager's amendment that increases the time frame for expedited special elections to 49 days. **Page 3367**

Rejected:

Millender-McDonald amendment (made in order under H. Res. 125 and in lieu of amendment no. 1 printed in H. Rept. 109–10) providing that expedited special elections shall take place not later than 60 days after the Speaker of the House announces that such vacancies exist (by a recorded vote of 192 ayes to 229 noes, Roll No. 49); and **Pages 3357, 3362**

Jackson-Lee amendment (no. 2 printed in H. Rept. 109–10) that affects the time in which a person may file a lawsuit arising out of the Speaker's announcement of vacancies in excess of 100 (by a recorded vote of 183 ayes to 239 noes, Roll No. 50). **Pages 3360, 3363**

The Baird motion that the Committee rise and strike the enacting clause was withdrawn. **Page 3363**

Agreed to amend the title so as to read: to require States to hold special elections to fill vacancies in the House of Representatives not later than 49 days after the vacancy is announced by the Speaker of the House of Representatives in extraordinary circumstances. **Page 3367**

H. Res. 125, the rule providing for consideration of the bill was agreed to by a voice vote. **Page 3344**

Agreed by voice vote to the Cole amendment to the rule that provides for the consideration of a manager's amendment and an amendment in lieu of the amendment numbered 1, printed in H. Rept. 109–10. **Page 3349**

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at noon on Monday, March 7, and further that when it adjourn on that day, it adjourn to meet at 12:30 p.m. on Tuesday, March 8 for Morning Hour debate. **Page 3368**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, March 9. **Page 3369**

Committee Appointment: The Chair announced the Speaker's appointment of the following Members of the House to the Joint Economic Committee, in addition to Representative Saxton, appointed January 20, 2005: Representatives Ryan (WI), English (PA), Paul, Brady, McCotter, Maloney, Hinchey, Loretta Sanchez (CA), and Cummings. **Page 3369**

House of Representatives Page Board—Appointment: The Chair announced the Speaker's appointment of the following Members of the House to the House of Representatives Page Board: Representatives Shimkus and Capito. **Page 3374**

Quorum Calls—Votes: Four recorded votes developed during the proceedings of today and appear on pages 3262–63, 3366, and 3367. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 3:45 p.m.

Committee Meetings

CFTC REAUTHORIZATION

Committee on Agriculture: Subcommittee on General Farm Commodities and Risk Management held a hearing on the Reauthorization of the Commodity Futures Trading Commission. Testimony was heard from Sharon Brown-Hruska, Acting Chairman, CFTC.

Hearings continue March 9.

AGRICULTURE, RURAL DEVELOPMENT, FDA AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on Under Secretary for Farm and Foreign Agricultural Services. Testimony was heard from following officials of the USDA: J.B. Penn, Under Secretary, Farm and Foreign Agricultural Services; James R. Little, Administrator, Farm Service Agency; A. Ellen Terpstra, Administrator, Foreign Agricultural Service; Ross J. Davidson, Jr., Administrator, Risk Management Agency; and Dennis Kaplan, Budget Office.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS

Committee on Appropriations: Subcommittee on the Department of Homeland Security held a hearing on the Transportation Security Administration. Testimony was heard from David Stone, Assistant Secretary of Homeland Security for the Transportation Security Administration.

LABOR, HHS, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on the Department of Labor, Health and Human Services, Education, and Related Agencies held a hearing on Secretary of Health and Human Services. Testimony was heard from Michael O. Leavitt, Secretary of Health and Human Services.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Energy and Water Development, and Related Agencies held a hearing on U.S. Army Corps of Engineers. Testimony was heard from the following officials of the U.S. Army Corps of Engineers: John P. Woodley, Jr., Principal Deputy Secretary (Civil Works); and LTG Carl Strock, USA, Chief of Engineers.

The Subcommittee also held a hearing on the Bureau of Reclamation. Testimony was heard from the following officials of the Department of the Interior: Gale A. Norton, Secretary; and John W. Keys, III, Commissioner, Bureau of Reclamation.

INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held an oversight hearing on U.S. Geological Survey/Hazards: tsunamis, landslides, earthquakes. Testimony was heard from Charles G. Groat, Director, U.S. Geological Survey, Department of the Interior.

The Subcommittee also held a hearing on the Forest Service. Testimony was heard from Dale Bosworth, Chief, Forest Service, USDA.

MILITARY QUALITY OF LIFE, AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Quality of Life, and Veterans Affairs, and Related Agencies held a hearing on Army Budget. Testimony was heard from the following officials of the Department of the Army: GEN Peter T. Schoomaker, Chief of Staff; and Geoffrey Prosch, Acting Secretary, Installations and Environment.

The Subcommittee also held a hearing on Cental Command. Testimony was heard from GEN John P. Abizaid, USA, Commander, U.S. Central Command, Department of the Army.

CARE OF INJURED AND WOUNDED SERVICE MEMBERS

Committee on Armed Services: Subcommittee on Military Personnel held a hearing on the Care of Injured and Wounded Service Members. Testimony was heard from the following officials of the Department of Defense: LTG F.L. Hagenbeck, USA, Deputy Chief of Staff, Personnel, G-1 and MG Joseph Webb, USA, Deputy Surgeon General, both with the Department of the Army; VADM Gerald Hoewing, USN, Chief of Naval Personnel; VADM, Donald C. Arthur, USN, Surgeon General and LTG H.P. Osman, USMC, Deputy Commandant, Manpower and Reserve Affairs, all with the Department of the Navy; LTG Roger A. Brady, USAF, Deputy Chief of Staff, Personnel and LTG George P. Taylor, Jr., USAF, Surgeon General, both with the Department of the Air Force; CWO Four James Stephen Keeton, Arkansas National Guard; Hospital Corpsman 2nd Class Anthony Cuomo, U.S. Naval Reserve, Naval Mobilization Processing Site, Naval Station San Diego; SrA Anthony A. Pizzifred, USAF, 343 TRS/DOO, Lackland Air Force Base, San Antonio, Texas; and Sgt E5 Christopher Chandler, 1st LAR Battalion/1st Marine Division, USAF, Camp Pendleton, California.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST FISCAL YEAR 2006

Committee on Armed Services: Subcommittee on Readiness held a hearing on the Fiscal Year 2006 National Defense Authorization budget request on the Adequacy of the Budget to Meet Readiness Needs. Testimony was heard from the following officials of the Department of Defense: GEN Richard A. Cody, USA, Vice Chief of Staff, Department of the Army; ADM. John B. Nathman, USN, Vice Chief of Naval Operations and GEN Wiliam L. Nyland, USMC, Assistant Commandant, U.S. Marine Corps, both with the Department of the Navy; and GEN T. Michael Moseley, USAF, Vice Chief of Staff, Department of the Air Force.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST FISCAL YEAR 2006

Committee on Armed Services: Subcommittee on Tactical and Land Forces held a hearing on the Fiscal Year 2006 National Defense Authorization budget request on the Department of Navy and Department of the Air Force Aviation Acquisition Programs. Testimony was heard from the following officials of the GAO: Mike Sullivan, Director, Acquisition and Sourcing Management—(Joint Strike Fighter) and Allen Li, Director, Acquisition and Sourcing Management—(F/A–22); and the following officials of the Department of Defense: VADM Stanley Szemborski, USN, Deputy Director, Program Analysis and Evaluation, Office of the Secretary; John J. Young, Jr., Assistant Secretary of the Navy (Research, Development and Acquisition); VADM Joseph A. Sestak, USN, Deputy Chief of Naval Operations, Warfare Requirements and Programs (N7); LTG John D. W. Corley, USAF, Principal Deputy, Office of the Assistant Secretary of the Air Force (Acquisition); LTG Ronald E. Keys, USAF, Deputy Chief of Staff, Air and Space Operations; and BG Martin Post, USMC, Assistant Deputy Commandant, Aviation.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST FISCAL YEAR 2006

Committee on Armed Services: Subcommittee on Terrorism, Unconventional Threats and Capabilities held a hearing on the Fiscal Year 2006 National Defense Authorization budget request on Tactical C–4 Systems: Why Does the DOD Have So Many Different Systems Performing the Same Functionality? Testimony was heard from the following officials of the Department of Defense: Linton Wells II, Acting Assistant Secretary, Networks and Information Integration; VADM R.F. Willard, USN, Director, Force Structure, Resources, and Assessment (DJ–8), Joint Staff; LTG Robert Shea, USMC, Director, Command, Control, Communications and Computer Systems (DJ–6), Joint Staff; and LTG Robert Wagner, USA, Deputy Commander, U.S. Joint Forces Command.

MEMBERS' DAY

Committee on the Budget: Held a hearing on Members' Day. Testimony was heard from Representatives Petri, Berkeley, LoBiondo, Cannon, Flake, Gibbons, Simmons, Bordallo, Shaw, Evans, Waters, Miller (NC), Hayes, Shays, Neugebauer, Bishop (NY), Watson, Holt, Lee, Capito, Otter, Porter, Bishop (UT), Michaud, Herseth, Linda T. Sánchez (CA), McMorris and Wilson (NM).

U.S. BOXING COMMISSION ACT

Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protection held a hearing on the United States Boxing Commission Act. Testimony was heard from Ron Scott Stevens, Chairman, New York State Athletic Commission; and public witnesses.

MAKING NETWORK WORK

Committee on Government Reform: Held a hearing entitled "Making Network Work: Countdown to the RFP for the Federal Government's Telecommunications Program." Testimony was heard from Stephen A. Perry, Administrator, GSA; Linda Koontz, Director, Information Management Issues, GAO; and public witnesses.

RESOLUTION—CUBA HUMAN RIGHTS CRACKDOWN; YEAR TWO OF CASTRO'S BRUTAL CRACKDOWN ON DISSIDENTS

Committee on International Relations: Subcommittee on Africa, Global Human Rights and International Operations and the Subcommittee on Western Hemisphere approved for full Committee action a resolution expressing the sense of Congress regarding the two-year anniversary of the human rights crackdown in Cuba.

The Subcommittees also held a joint hearing on Year Two of Castro's Brutal Crackdown on Dissidents. Testimony was heard from Roger Noriega, Assistant Secretary, Bureau of Western Hemisphere Affairs, Department of State; and public witnesses.

RESOLUTION CONCERNING TERRORIST ORGANIZATION; ALGERIA TERRORISM

Committee on International Affairs: Subcommittee on International Terrorism and Nonproliferation approved for full Committee action H. Res. 101, Urging the European Union to add Hezbollah to the European Union's wide-ranging list of terrorist organizations.

The Subcommittee also held a hearing on Algeria's Struggle Against Terrorism. Testimony was heard from Lorne W. Cramer, former Assistant Secretary, Democracy, Human Rights and Labor, Department of State; and public witnesses.

CHILD INTERSTATE ABORTION NOTIFICATION ACT

Committee on the Judiciary: Subcommittee on the Constitution held a hearing on H.R. 748, Child Interstate Abortion Notification Act. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property approved for full Committee action the following measures: S. 167, Family Entertainment and Copyright Act of 2005; H.R. 683, amended, Trademark Dilution Revision Act of 2005; H.R. 1037, To make technical corrections to title 17, United States Code; H.R. 1036, To amend title 17, United States Code, to make technical corrections relating to copyright royalty judges; H.R. 1038, Multidistrict Litigation Restoration Act of 2005; and H. Con. Res. 53, Expressing the sense of the Congress regarding the issuance of the 500,000th design patent by the United States Patent and Trademark Office.

OVERSIGHT—IMMIGRATION ENFORCEMENT

Committee on the Judiciary: Subcommittee on Immigration, Border Security, and Claims held an oversight hearing entitled "The Immigration Enforcement Resources Authorized in the Intelligence Reform and Terrorism Act of 2004." Testimony was heard from Representative Ortiz; and public witnesses.

OVERSIGHT—BUDGET REQUESTS

Committee on Resources: Subcommittee on Water and Power held an oversight hearing entitled "President's Fiscal Year 2006 Budget Request for the Bureau of Reclamation and the Water Division of the U.S. Geological Survey." Testimony was heard from the following officials of the Department of the Interior: John W. Keys, III, Commissioner, Bureau of Reclamation; and Robert Hirsch, Associate Director, Water, U.S. Geological Survey.

METHAMPHETAMINE REMEDIATION RESEARCH ACT

Committee on Science: Held a hearing on H.R. 798, Methamphetamine Remediation Research Act of 2005. Testimony was heard from Scott Burns, Deputy Director, State and Local Affairs, Office of National Drug Control Policy; and public witnesses.

COAST GUARD/MARITIME BUDGET

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation held a hearing on the Fiscal Year 2006 Budget for Coast Guard and Maritime Transportation Programs, and H.R. 889, Coast Guard and Maritime Transportation Act of 2005. Testimony was heard from the following officials of the U.S. Coast Guard, Department of Homeland Security: ADM Thomas H. Collins, Commandant; and Master Chief Petty Officer Franklin A. Welch; Steven R. Blust, Chairman, Federal Maritime Commission; and F. Joseph Moravec, Commissioner, Public Building Service, GSA.

HIGHWAY-RELATED TAXES AND TRUST FUNDS AMENDMENTS

Committee on Ways and Means: Ordered reported, as amended, H.R. 996, To amend the Internal Revenue Code of 1986 to provide for the extension of highway-related taxes and trust funds.

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Friday, March 4, 2005

Senate

Chamber Action

Routine Proceedings, pages 3496–3555

Measures Introduced: Four bills and one resolution were introduced, as follows: S. 530–533, and S. Res. 72. **Page 3527**

Measures Passed:

Joint Committees Senate Membership: Senate agreed to S. Res. 72, providing for members on the part of the Senate of the Joint Committee on Printing and the Joint Committee of Congress on the Library. **Page 3542**

Bankruptcy Reform Act: Senate continued consideration of S. 256, a bill to amend title 11 of the United States Code, taking action on the following amendments proposed thereto: **Page 3496**

Pending:

Leahy Amendment No. 26, to restrict access to certain personal information in bankruptcy documents. **Page 3496**

Feinstein Amendment No. 19, to enhance disclosures under an open end credit plan. **Page 3496**

Kennedy Amendment No. 44, to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage. **Page 3496**

Dorgan/Durbin Amendment No. 45, to establish a special committee of the Senate to investigate the awarding and carrying out of contracts to conduct activities in Afghanistan and Iraq and to fight the war on terrorism. **Page 3496**

Pryor Amendment No. 40, to amend the Fair Credit Reporting Act to prohibit the use of any information in any consumer report by any credit card issuer that is unrelated to the transactions and experience of the card issuer with the consumer to increase the annual percentage rate applicable to credit extended to the consumer. **Page 3496**

Reid (for Baucus) Amendment No. 50, to amend section 524(g)(1) of title 11, United States Code, to predicate the discharge of debts in bankruptcy by a vermiculite mining company meeting certain criteria on the establishment of a health care trust fund for certain individuals suffering from an asbestos related disease. **Page 3496**

Dodd Amendment No. 52, to prohibit extensions of credit to underage consumers. **Pages 3517, 3519**

Dodd Amendment No. 53, to require prior notice of rate increases. **Page 3517**

A motion was entered to close further debate on the bill and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur at 2:15 p.m., on Tuesday, March 8, 2005. **Page 3543**

A unanimous-consent agreement was reached providing that notwithstanding Rule 22, Senators have until 2:30 p.m. on Monday, March 7, 2005 to file first-degree amendments, and until 12 noon, on Tuesday, March 8, 2005, to file second-degree amendments. **Page 3542**

A unanimous-consent agreement was reached providing that at 10:15 a.m., on Tuesday, March 8, 2005, Senate will begin consideration of Schumer Amendment No. 47 and that the time until 12:15 p.m. be equally divided, and that at 12:15 p.m. a vote will occur thereon or in relation to the amendment. **Page 3543**

A unanimous-consent agreement was reached providing for further consideration of the bill at 2:30 p.m., on Monday, March 7, 2005. **Page 3543**

Nominations Received: Senate received the following nominations:

Anthony Joseph Principi, of California, to be a Member of the Defense Base Closure and Realignment Commission.

David Garman, of Virginia, to be Under Secretary of Energy.

Christopher R. Hill, of Rhode Island, to be Assistant Secretary of State (East Asian and Pacific Affairs).

Rudolph E. Boschwitz, of Minnesota, for the rank of Ambassador during his tenure of service as Representative of the United States of America on the Human Rights Commission of the Economic and Social Council of the United Nations.

Routine lists in the Air Force. **Page 3543**

Executive Communications: **Page 3526**

Additional Cosponsors: **Page 3527**

Statements on Introduced Bills/Resolutions: **Page 3527**

Additional Statements: **Page 3526**

Amendments Submitted: **Page 3529**

Privilege of the Floor: **Page 3542**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 1:21 p.m., until 2 p.m., on Monday, March 7, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 3543.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. The House will meet at 12 noon on Monday, March 7 in pro forma session, and at 12:30 p.m. on Tuesday, March 8 for morning hour debate, 2 p.m. for legislative business.

Committee Meetings

No committee meetings were held.

Monday, March 7, 2005

Senate

Chamber Action

Routine Proceedings, pages 3558–3648

Measures Introduced: Ten bills were introduced, as follows: S. 534–543. **Page 3596**

Measures Reported:

S. 177, to further the purposes of the Reclamation Projects Authorization and Adjustment Act of 1992 by directing the Secretary of the Interior, acting through the Commissioner of Reclamation, to carry out an assessment and demonstration program to control salt cedar and Russian olive. (S. Rept. No. 109–15)

S. 178, to provide assistance to the State of New Mexico for the development of comprehensive State water plans. (S. Rept. No. 109–16)

S. 214, to authorize the Secretary of the Interior to cooperate with the States on the border with Mexico and other appropriate entities in conducting a hydrogeologic characterization, mapping, and modeling program for priority transboundary aquifers. (S. Rept. No. 109–17)

S. 229, to clear title to certain real property in New Mexico associated with the Middle Rio Grande Project. (S. Rept. No. 109–18) **Page 3596**

Bankruptcy Reform Act: Senate resumed consideration of S. 256, a bill to amend title 11 of the United States Code, taking action on the following amendments proposed thereto: **Page 3558**

Adopted:

Leahy Modified Amendment No. 26, to restrict access to certain personal information in bankruptcy documents. **Page 3587**

Withdrawn:

By 46 yeas to 49 nays (Vote No. 26), Kennedy Amendment No. 44, to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage. **Pages 3560, 3573**

By 38 yeas to 61 nays (Vote No. 27), Santorum Amendment No. 128, to promote job creation, family time, and small business preservation in the adjustment of the Federal minimum wage. **Pages 3569, 3580**

Pursuant to the order of March 3, 2005, the above actions were vitiated. **Page 3580**

Feinstein Amendment No. 19, to enhance disclosures under an open end credit plan. **Page 3580**

Pending:

Dorgan/Durbin Amendment No. 45, to establish a special committee of the Senate to investigate the awarding and carrying out of contracts to conduct activities in Afghanistan and Iraq and to fight the war on terrorism. **Page 3558**

Pryor Amendment No. 40, to amend the Fair Credit Reporting Act to prohibit the use of any information in any consumer report by any credit card issuer that is unrelated to the transactions and experience of the card issuer with the consumer to increase the annual percentage rate applicable to credit extended to the consumer. **Page 3558**

Reid (for Baucus) Amendment No. 50, to amend section 524(g)(1) of title 11, United States Code, to predicate the discharge of debts in bankruptcy by an vermiculite mining company meeting certain criteria on the establishment of a health care trust fund for certain individuals suffering from an asbestos related disease. **Page 3558**

Dodd Amendment No. 52, to prohibit extensions of credit to underage consumers. **Page 3558**

Dodd Amendment No. 53, to require prior notice of rate increases. **Page 3558**

Kennedy (for Leahy/Sarbanes) Amendment No. 83, to modify the definition of disinterested person in the Bankruptcy Code.

Harkin Amendment No. 66, to increase the accrual period for the employee wage priority in bankruptcy. **Page 3572**

Dodd Amendment No. 67, to modify the bill to protect families. **Page 3580**

Kennedy Amendment No. 68, to provide a maximum amount for a homestead exemption under State law. **Page 3581**

Kennedy Amendment No. 69, to amend the definition of current monthly income. **Page 3581**

Kennedy Amendment No. 70, to exempt debtors whose financial problems were caused by failure to receive alimony or child support, or both, from means testing. **Page 3581**

Kennedy Amendment No. 72, to ensure that families below median income are not subjected to means test requirements. **Page 3581**

Kennedy Amendment No. 71, to strike the provision relating to the presumption of luxury goods. **Page 3581**

Kennedy Amendment No. 119, to amend section 502(b) of title 11, United States Code, to limit usurious claims in bankruptcy. **Page 3582**

Akaka Amendment No. 105, to limit claims in bankruptcy by certain unsecured creditors. **Page 3582**

Feingold Amendment No. 87, to amend section 104 of title 11, United States Code, to include certain provisions in the triennial inflation adjustment of dollar amounts. **Page 3582**

Feingold Amendment No. 88, to amend the plan filing and confirmation deadlines. **Page 3582**

Feingold Amendment No. 89, to strike certain small business related bankruptcy provisions in the bill. **Page 3583**

Feingold Amendment No. 90, to amend the provision relating to fair notice given to creditors. **Page 3583**

Feingold Amendment No. 91, to amend section 303 of title 11, United States Code, with respect to the sealing and expungement of court records relating to fraudulent involuntary bankruptcy petitions. **Page 3583**

Feingold Amendment No. 92, to amend the credit counseling provision. **Page 3583**

Feingold Amendment No. 93, to modify the disclosure requirements for debt relief agencies providing bankruptcy assistance. **Page 3583**

Feingold Amendment No. 94, to clarify the application of the term disposable income. **Page 3584**

Feingold Amendment No. 95, to amend the provisions relating to the discharge of taxes under chapter 13. **Page 3585**

Feingold Amendment No. 96, to amend the provisions relating to chapter 13 plans to have a 5-year duration in certain cases and to amend the definition of disposable income for purposes of chapter 13. **Page 3585**

Feingold Amendment No. 97, to amend the provisions relating to chapter 13 plans to have a 5-year duration in certain cases and to amend the definition of disposable income for purposes of chapter 13. **Page 3585**

Feingold Amendment No. 98, to modify the disclosure requirements for debt relief agencies providing bankruptcy assistance. **Page 3585**

Feingold Amendment No. 99, to provide no bankruptcy protection for insolvent political committees. **Page 3585**

Feingold Amendment No. 100, to provide authority for a court to order disgorgement or other remedies relating to an agreement that is not enforceable. **Page 3585**

Feingold Amendment No. 101, to amend the definition of small business debtor. **Page 3585**

Talent Amendment No. 121, to deter corporate fraud and prevent the abuse of State self-settled trust law. **Page 3586**

Schumer Amendment No. 129 (to Amendment No. 121), to limit the exemption for asset protection trusts. **Page 3586**

Durbin Amendment No. 110, to clarify that the means test does not apply to debtors below median income. **Page 3587**

Durbin Amendment No. 111, to protect veterans and members of the armed forces on active duty or performing homeland security activities from means testing in bankruptcy. **Page 3587**

Durbin Amendment No. 112, to protect disabled veterans from means testing in bankruptcy under certain circumstances. **Page 3587**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:45 a.m., on Tuesday, March 8, 2005. **Page 3648**

Measures Read First Time: **Pages 3596, 3647**

Additional Cosponsors: **Page 3596**

Statements on Introduced Bills/Resolutions: **Page 3597**

Additional Statements: **Page 3594**

Amendments Submitted: **Page 3620**

Notices of Hearings/Meetings: **Page 3647**

Authority for Committees to Meet: **Page 3647**

Privilege of the Floor: **Page 3647**

Record Votes: Two record votes were taken today. (Total—27) **Page 3580**

Adjournment: Senate convened at 2 p.m., and adjourned at 7:32 p.m., until 9:45 a.m., on Tuesday, March 8, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 3648.)

Committee Meetings

COMMITTEE ORGANIZATION

Committee on Appropriations: Committee announced the following subcommittee assignments:

Subcommittee on Agriculture, Rural Development, and Related Agencies: Senators Bennett (Chair), Cochran, Specter, Bond, McConnell, Burns, Craig, Brownback, Kohl, Harkin, Dorgan, Feinstein, Durbin, Johnson, and Landrieu.

Subcommittee on Commerce, Justice, and Science: Senators Shelby (Chair), Gregg, Stevens, Domenici, McConnell, Hutchison, Brownback, Bond, Mikulski, Inouye, Leahy, Kohl, Murray, Harkin, and Dorgan.

Subcommittee on Defense: Senators Stevens (Chair), Cochran, Specter, Domenici, Bond, McConnell, Shelby, Gregg, Hutchison, Burns, Inouye, Byrd, Leahy, Harkin, Dorgan, Durbin, Reid, Feinstein, and Mikulski.

Subcommittee on District of Columbia: Senators DeWine (Chair), Cochran, Allard, Landrieu, and Durbin.

Subcommittee on Energy and Water: Senators Domenici (Chair), Cochran, McConnell, Bennett, Burns, Craig, Bond, Hutchison, Allard, Reid, Byrd, Murray, Dorgan, Feinstein, Johnson, Landrieu, and Inouye.

Subcommittee on Homeland Security: Senators Gregg (Chair), Cochran, Stevens, Specter, Domenici, Shelby, Craig, Bennett, Allard, Byrd, Inouye, Leahy, Mikulski, Kohl, Murray, Reid, and Feinstein.

Subcommittee on Interior and Related Agencies: Senators Burns (Chair), Stevens, Cochran, Domenici, Bennett, Gregg, Craig, Allard, Dorgan, Byrd, Leahy, Reid, Feinstein, Mikulski, and Kohl.

Subcommittee on Labor, Health, and Human Services, Education, and Related Agencies: Senators Specter (Chair), Cochran, Gregg, Craig, Hutchison, Stevens, DeWine, Shelby, Harkin, Inouye, Reid, Kohl, Murray, Landrieu, and Durbin.

Subcommittee on Legislative Branch: Senators Brownback (Chair), DeWine, Allard, Durbin, and Johnson.

Subcommittee on Military Construction and Veterans Affairs: Senators Hutchison (Chair), Burns, Craig, DeWine, Brownback, Allard, McConnell, Feinstein, Inouye, Johnson, Landrieu, Byrd, and Murray.

Subcommittee on State, Foreign Operations, and Related Programs: Senators McConnell (Chair), Specter, Gregg, Shelby, Bennett, Bond, DeWine, Brownback, Leahy, Inouye, Harkin, Mikulski, Durbin, Johnson, and Landrieu.

Subcommittee on Transportation, Treasury, the Judiciary, and Housing and Urban Development: Senators Bond (Chair), Shelby, Specter, Bennett, Hutchison, DeWine, Brownback, Stevens, Domenici, Burns, Murray, Byrd, Mikulski, Reid, Kohl, Durbin, Dorgan, Leahy, and Harkin.

NOMINATION

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nomination of Michael Jackson, of Virginia, to be Deputy Secretary of Homeland Security, after the nominee testified and answered questions in his own behalf.

House of Representatives

Chamber Action

Measures Introduced: 6 public bills, H.R. 1134–1139; and 1 resolution, H. Con. Res. 87, were introduced. **Page 3557**

Additional Cosponsors: **Page 3557**

Reports Filed: Reports were filed today as follows:

H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, amended (H. Rept. 109–12). **Page 3557**

Speaker: Read a letter from the Speaker wherein he appointed Representative Neugebauer to act as Speaker Pro Tempore for today. **Page 3556**

Senate Message: Message received from the Senate today appears on page 3556.

Senate Referral: S.J. Res. 4 was held at the desk.

Quorum Calls—Votes: There were no votes or quorum calls.

Adjournment: The House met at 12 noon and adjourned at 12:02 p.m.

Committee Meetings

No committee meetings were held.

Tuesday, March 8, 2005

Senate

Chamber Action

Routine Proceedings, pages 3653–3754

Measures Introduced: Twenty-six bills and four resolutions were introduced, as follows: S. 544–569, S. Res. 73–75, and S. Con. Res. 15. **Page 3699**

Measures Reported:

S. 55, to adjust the boundary of Rocky Mountain National Park in the State of Colorado. (S. Rept. No. 109–19)

S. 57, to further the purposes of the Sand Creek Massacre National Historic Site Establishment Act of 2000. (S. Rept. No. 109–20)

S. 276, to revise the boundary of the Wind Cave National Park in the State of South Dakota. (S. Rept. No. 109–21)

S. 301, to authorize the Secretary of the Interior to provide assistance in implementing cultural heritage, conservation, and recreational activities in the Connecticut River watershed of the States of New Hampshire and Vermont, with an amendment. (S. Rept. No. 109–22) **Page 3699**

Measures Passed:

International Women's Day: Senate agreed to S. Res. 74, designating March 8, 2005, as "International Women's Day". **Page 3747**

Greek Independence Day: Senate agreed to S. Res. 75, designating March 25, 2005, as "Greek Independence Day: A National Day of Celebration of Greek and American Democracy". **Page 3753**

Bankruptcy Reform Act: Senate continued consideration of S. 256, a bill to amend title 11 of the United States Code, taking action on the following amendments proposed thereto: **Page 3654**

Rejected:

By 46 yeas to 53 nays (Vote No. 28), Schumer Amendment No. 47, to prohibit the discharge, in bankruptcy, of a debt resulting from the debtor's unlawful interference with the provision of lawful goods or services or damage to property used to provide lawful goods or services. **Page 3657**

By 41 yeas to 59 nays (Vote No. 30), Feingold Amendment No. 89, to strike certain small business related bankruptcy provisions in the bill. **Pages 3654, 3676, 3683**

Withdrawn:

Pryor Amendment No. 40, to amend the Fair Credit Reporting Act to prohibit the use of any information in any consumer report by any credit card issuer that is unrelated to the transactions and experience of the card issuer with the consumer to increase the annual percentage rate applicable to credit extended to the consumer. **Pages 3654, 3670**

Durbin Amendment No. 111, to protect veterans and members of the armed forces on active duty or performing homeland security activities from means testing in bankruptcy. **Pages 3654, 3683**

Pending:

Dorgan/Durbin Amendment No. 45, to establish a special committee of the Senate to investigate the awarding and carrying out of contracts to conduct activities in Afghanistan and Iraq and to fight the war on terrorism. **Page 3654**

Reid (for Baucus) Amendment No. 50, to amend section 524(g)(1) of title 11, United States Code, to predicate the discharge of debts in bankruptcy by an vermiculite mining company meeting certain criteria on the establishment of a health care trust fund for certain individuals suffering from an asbestos related disease. **Page 3654**

Dodd Amendment No. 52, to prohibit extensions of credit to underage consumers. **Page 3654**

Dodd Amendment No. 53, to require prior notice of rate increases. **Page 3654**

Kennedy (for Leahy/Sarbanes) Amendment No. 83, to modify the definition of disinterested person in the Bankruptcy Code. **Page 3654**

Harkin Amendment No. 66, to increase the accrual period for the employee wage priority in bankruptcy. **Page 3654**

Dodd Amendment No. 67, to modify the bill to protect families. **Pages 3654, 3678**

Dodd (for Kennedy) Amendment No. 68, to provide a maximum amount for a homestead exemption under State law. **Page 3654**

Dodd (for Kennedy) Amendment No. 69, to amend the definition of current monthly income. **Page 3654**

Dodd (for Kennedy) Amendment No. 70, to exempt debtors whose financial problems were caused by failure to receive alimony or child support, or both, from means testing. **Page 3654**

Dodd (for Kennedy) Amendment No. 72, to ensure that families below median income are not subjected to means test requirements. **Page 3654**

Dodd (for Kennedy) Amendment No. 71, to strike the provision relating to the presumption of luxury goods. **Page 3654**

Dodd (for Kennedy) Amendment No. 119, to amend section 502(b) of title 11, United States Code, to limit usurious claims in bankruptcy. **Page 3654**

Akaka Amendment No. 105, to limit claims in bankruptcy by certain unsecured creditors. **Page 3654**

Feingold Amendment No. 87, to amend section 104 of title 11, United States Code, to include certain provisions in the triennial inflation adjustment of dollar amounts. **Page 3654**

Feingold Amendment No. 88, to amend the plan filing and confirmation deadlines. **Page 3654**

Feingold Amendment No. 90, to amend the provision relating to fair notice given to creditors. **Page 3654**

Feingold Amendment No. 91, to amend section 303 of title 11, United States Code, with respect to the sealing and expungement of court records relating to fraudulent involuntary bankruptcy petitions. **Page 3654**

Feingold Amendment No. 92, to amend the credit counseling provision. **Page 3654**

Feingold Amendment No. 93, to modify the disclosure requirements for debt relief agencies providing bankruptcy assistance. **Page 3654**

Feingold Amendment No. 94, to clarify the application of the term disposable income. **Page 3654**

Feingold Amendment No. 95, to amend the provisions relating to the discharge of taxes under chapter 13. **Page 3654**

Feingold Amendment No. 96, to amend the provisions relating to chapter 13 plans to have a 5-year duration in certain cases and to amend the definition of disposable income for purposes of chapter 13. **Page 3654**

Feingold Amendment No. 97, to amend the provisions relating to chapter 13 plans to have a 5-year duration in certain cases and to amend the definition of disposable income for purposes of chapter 13. **Page 3654**

Feingold Amendment No. 98, to modify the disclosure requirements for debt relief agencies providing bankruptcy assistance. **Page 3654**

Feingold Amendment No. 99, to provide no bankruptcy protection for insolvent political committees. **Page 3654**

Feingold Amendment No. 100, to provide authority for a court to order disgorgement or other remedies relating to an agreement that is not enforceable. **Page 3654**

Feingold Amendment No. 101, to amend the definition of small business debtor. **Page 3654**

Talent Amendment No. 121, to deter corporate fraud and prevent the abuse of State self-settled trust law. **Page 3654**

Schumer Amendment No. 129 (to Amendment No. 121), to limit the exemption for asset protection trusts. **Page 3654**

Durbin Amendment No. 110, to clarify that the means test does not apply to debtors below median income. **Page 3654**

Durbin Amendment No. 112, to protect disabled veterans from means testing in bankruptcy under certain circumstances. **Page 3654**

Boxer Amendment No. 62, to provide for the potential disallowance of certain claims. **Page 3683**

During consideration of this measure today, Senate also took the following action:

By 69 yeas to 31 nays (Vote No. 29), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the bill. **Page 3670**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m., on Wednesday, March 9, 2005, and that the Senate vote on, or in relation to, certain amendments. **Page 3753**

Appointments

Congressional-Executive Commission on the People's Republic of China: The Chair, on behalf of the President of the Senate, and after consultation with the Majority Leader, pursuant to Public Law 106–286, appointed the following Members to serve on the Congressional-Executive Commission on the People's Republic of China:

Senators Hagel, Brownback, Smith, DeMint, and Martinez. **Page 3747**

Nominations Received: Senate received the following nominations:

Daniel Fried, of the District of Columbia, to be an Assistant Secretary of State (European Affairs).

2 Air Force nominations in the rank of general.

2 Navy nominations in the rank of admiral. **Page 3754**

Messages From the House: **Page 3698**

Measures Placed on Calendar: **Page 3698**

Executive Communications: **Page 3698**

Additional Cosponsors: **Page 3700**

Statements on Introduced Bills/Resolutions: **Page 3702**

Additional Statements: **Page 3696**

Amendments Submitted: **Page 3733**

Notices of Hearings/Meetings: **Page 3746**

Authority for Committees to Meet: **Page 3746**

Privilege of the Floor: **Page 3746**

Record Votes: Three record votes were taken today. (Total—30) **Pages 3669, 3670, 3683**

Adjournment: Senate convened at 9:45 a.m., and adjourned at 7:18 p.m., until 9:30 a.m., on Wednesday, March 9, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 3753.)

Committee Meetings

COMMODITY FUTURES TRADING COMMISSION

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine the reauthorization of the Commodity Futures Trading Commission, after receiving testimony from Sharon Brown-Hruska, Acting Chairman, Commodity Futures Trading Commission; Charles P. Carey, Chicago Board of Trade, Terrence A. Duffy, Chicago Mercantile Exchange, and Satish Nandapurkar, Eurex US, all of Chicago, Illinois; James Newsome, New York Mercantile Exchange, Inc., and Frederick W. Schoenhut, New York Board of Trade, both of New York, New York; and John M. Damgard, Futures Industry Association, Washington, D.C.

BUSINESS MEETING

Committee on Appropriations: On February 17, 2005, Committee adopted its rules of procedure for the 109th Congress.

APPROPRIATIONS: NAVY

Committee on Appropriations: Subcommittee on Military Construction concluded a hearing to examine proposed budget estimates for fiscal year 2006 for defense wide and navy budget overview, after receiving testimony from Tina W. Jonas, Under Secretary (Comptroller), and Philip W. Grone, Deputy Under Secretary (Installations and Environment), both of the Department of Defense; B.J. Penn, Assistant Secretary (Installations and Environment), and Rear Admiral Wayne G. Shears, Jr., Deputy Director, Ashore Readiness Division, both of the United States Navy; and Brigadier General Willie J. Williams, Assistant Deputy Commandant, Installations and Logistics (Facilities), United States Marine Corps.

DEFENSE AUTHORIZATION REQUEST

Committee on Armed Services: Committee concluded an open and closed hearing to examine military strategy and operational requirements in review of the Defense Authorization Request for fiscal year 2006, after receiving testimony from Admiral William J. Fallon, USN, Commander, United States Pacific Command; and General Leon J. LaPorte, USA, Commander, United Nations Command and Republic of Korea/United States Combined Forces Command Commander, United States Forces Korea.

OPERATIONS IN IRAQ

Committee on Armed Services: Committee met in closed session to receive a briefing to discuss current operations in Iraq from General George W. Casey, Jr., USA, Commanding General, Multi-National Force—Iraq; and Peter W. Rodman, Assistant of Defense for International Security Affairs.

LAND BILLS

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests concluded a hearing to examine S. 179, to provide for the exchange of land within the Sierra National Forest, California, S. 213, to direct the Secretary of the Interior to convey certain Federal land to Rio Arriba County, New Mexico, S. 267, to reauthorize the Secure Rural Schools and Community Self-Determination Act of 2000, S. 305, to authorize the Secretary of the Interior to recruit volunteers to assist with or facilitate the activities of various agencies and offices of the Department of the Interior, S. 476, to authorize the Boy Scouts of America to exchange certain land in the State of Utah acquired under the Recreation and Public Purposes Act, and S. 485, to reauthorize and amend the National Geologic Mapping Act of 1992, after receiving testimony from Senator Hatch; Mark Rey, Under Secretary of Agriculture for Natural Resources and the Environment; Christopher Kearney, Deputy Assistant Secretary of the Interior for Policy Management and Budget; Robert Douglas, Tehama County Schools, Red Bluff, California, on behalf of the National Forest Counties and Schools Coalition; and Michael A. Francis, Wilderness Society, Washington, D.C.

POWER GENERATION RESOURCES

Committee on Energy and Natural Resources: Committee concluded a hearing to examine ways to encourage the diversification of power generation resources, focusing on renewable portfolio standards (RPS) efforts among states and the cost and benefits of a federal RPS program, and new approaches to promoting a variety of clean power resources, such as wind, solar, clean coal technology and nuclear power, after receiving testimony from David K. Garman, Assistant Secretary of Energy for Energy Efficiency and Renewable Energy; Richard E. Morgan, Commissioner, District of Columbia Public Service Commission, on behalf of the National Association of Regulatory Utility Commissioners; Ryan H. Wiser, Lawrence Berkeley National Laboratory, Berkeley, California; Wayne Brunetti, Xcel Energy, Minneapolis, Minnesota; Sonny Popowsky, Pennsylvania Office of Consumer Advocate, Harrisburg, on behalf of National Association of State Utility Consumer Advocates; Donald N. Furman, PacifiCorp, Portland, Oregon; Kerry W. Bowers, Southern Company, Birmingham, Alabama; Alan Nogee, Union of Concerned Scientists, Cambridge, Massachusetts; and Brian O'Shaughnessy, Revere Copper Products, Rome, New York, on behalf of National Association of Manufacturers.

PHYSICIAN-OWNED SPECIALITY HOSPITALS

Committee on Finance: Committee held a hearing to examine physician-owned specialty hospitals, focusing on the effects that speciality hospitals have on community hospitals, receiving testimony from Thomas A. Gustafson, Deputy Director, Center for Medicare Management, Centers for Medicare and Medicaid Services, Department of Health and Human Services; Glenn M. Hackbarth, Chairman, Medicare Payment Advisory Commission; Alan H. Pierrot, PSC Health, Inc., Fresno, California, on behalf of American Surgical Hospital Association; Larry Veitz, Lookout Memorial Hospital, Spearfish, South Dakota; and J. Andy Sullivan, Oklahoma University Medical Center, Oklahoma City.

Hearing recessed subject to the call of the Chair.

BLACK SEA AREA

Committee on Foreign Relations: Subcommittee on European Affairs concluded a hearing to examine the current state of democracy in the Black Sea region and the prospects for further democratic evolution in the area, after receiving testimony from John F. Tefft, Deputy Assistant Secretary of State for European and Eurasian Affairs; and Bruce P. Jackson, Project on Transitional Democracies, Vladimir Socor, Jamestown Foundation, and Zeyno Baran, The Nixon Center, all of Washington, D.C.

NOMINATION

Committee on the Judiciary: Committee concluded a hearing to examine the nomination of Thomas B. Griffith, of Utah, to be United States Circuit Judge for the District of Columbia Circuit, after the nominee, who was introduced by Senators Hatch and Bennett, testified and answered questions in his own behalf.

TERRORISM AND EMP THREAT

Committee on the Judiciary: Subcommittee on Terrorism, Technology, and Homeland Security concluded a hearing to examine terrorism and the electromagnetic pulse (EMP) threat to homeland security, after receiving testimony from Peter M. Fonsah, Acting Deputy Manager, National Communications Systems, Department of Homeland Security; and Lowell Wood, Acting Chairman, and Peter V. Pry, both of the Congressional Commission to Assess the Threat to the U.S. from Electromagnetic Pulse Attack.

527 REFORM ACT

Committee on Rules and Administration: Committee concluded a hearing to examine S. 271, to amend the Federal Election Campaign Act of 1971 to clarify when organizations described in section 527 of the Internal Revenue Code of 1986 must register as political committees, after receiving testimony from Senators Feingold and McCain; Scott E. Thomas, Chairman, and David M. Mason, Commissioner, both of the Federal Election Commission; Frances R. Hill, University of Miami School of Law, Coral Gables, Florida; and Robert F. Bauer, Perkins Coie LLP, and Michael J. Malbin, Campaign Finance Institute, both of Washington, D.C.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

House of Representatives

Chamber Action

Measures Introduced: 39 public bills, H.R. 1140–1178; 2 private bills, H.R. 1179–1180; and; 6 resolutions, H. Res. 138–143 were introduced. **Page 3789**

Additional Cosponsors: **Page 3791**

Reports Filed: Reports were filed today as follows:

Supplemental report on H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs (H. Rept. 109–12, Pt. 2);

H.R. 996, to amend the Internal Revenue Code of 1986 to provide for the extension of highway-related taxes and trust funds, amended (H. Rept. 109–13); and

H. Res. 140, providing for consideration of H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes (H. Rept. 109–14). **Page 3789**

Chaplain: The prayer was offered today by Rev. E. Terri LaVelle, Program Director, The Faith and Politics Institute in Washington, DC. **Page 3759**

Journal: The House agreed to the Speaker's approval of the Journal by a yea and nay vote of 378 yeas to 29 nays, Roll No. 53. **Pages 3759, 3765**

Recess: The House recessed at 1:08 p.m. and reconvened at 2 p.m. **Page 3759**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Providing amounts for continuing expenses of standing and select committees of the House for the month of April: H. Res. 133, amended, providing amounts from the applicable accounts of the House of Representatives for continuing expenses of standing and select committees of the House from April 1, 2005, through April 30, 2005, by a ⅔ yea and nay vote of 406 yeas with none voting "nay", Roll No. 54; and **Pages 3760, 3766**

Sense of the House regarding the study of languages and the designation of a Year of Languages: H. Res. 122, expressing the sense of the House of Representatives regarding the study of languages and supporting the designation of a Year of Languages, by a ⅔ yea and nay vote of 396 yeas with none voting "nay", Roll No. 55. **Pages 3761, 3766**

Canada—U.S. Interparliamentary Group—Appointment: The Chair announced the Speaker's appointment of the following Members of the House to the Canada—United States Interparliamentary Group: Representative Manzullo, Chairman; and Representative McCotter, Vice Chairman. **Page 3765**

Recess: The House recessed at 2:45 p.m. and reconvened at 6:31 p.m. **Page 3765**

Supplemental Report: Agreed that the Committee on Transportation and Infrastructure have until midnight on March 8 to file a supplemental report on H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs. **Page 3765**

Committee Election: The House agreed to H. Res. 139, electing Representative Burton (IN) to the Committee on Veterans Affairs. **Page 3767**

Quorum Calls—Votes: Three yea and nay vote developed during the proceedings of today and appear on pages 3765–67. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 10:03 p.m.

Committee Meetings

EMERGENCY SUPPLEMENTAL APPROPRIATIONS FISCAL YEAR 2005

Committee on Appropriations: Ordered reported the Emergency Supplemental Appropriations for the Fiscal Year ending September 30, 2005.

DEPARTMENT OF LABOR, HHS, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on the Department of Labor, Health and Human Services, Education and Related Agencies held a hearing on the Administration for Children and Families/National Institute of Child Health and Human Development. Testimony was heard from the following officials of the Department of Health and Human Services: Wade J. Horn, Assistant Secretary, Administration for Children and Families; and Duane Alexandria, Director, National Institute of Child Health and Human Development.

MILITARY QUALITY OF LIFE, AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Quality of Life, and Veterans Affairs, and Related Agencies held a hearing on the Secretary of Veterans Affairs. Testimony was heard from R. James Nicholson, Secretary of Veterans Affairs.

SCIENCE, THE DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Science, The Departments of State, Justice, and Commerce, and Related Agencies held a hearing on Director of the FBI. Testimony was heard from Robert S. Mueller, III, Director, FBI, Department of Justice.

BURDEN OF UNFUNDED MANDATES ON STATE, COUNTY, AND CITY GOVERNMENTS

Committee on Government Reform: Held a hearing entitled "Is Uncle Sam Still Passing the Buck? The Burden of

Unfunded Mandates on State, County, and City Governments." Testimony was heard from John D. Graham, Administrator, Office of Information and Regulatory Affairs, OMB; Douglas Holtz-Eakin, Director, CBO; Gerry Connolly, Chairman, Board of Supervisors, Fairfax County, Virginia; Mick Cornett, Mayor, Oklahoma City, OK; and public witnesses.

MISCELLANEOUS RESOLUTIONS

Committee on International Relations: Subcommittee on Europe and Emerging Threats approved for full Committee action, as amended, the following resolutions: H. Res. 101, Urging the European Union to add Hezbollah to the European Union's wide-ranging list of terrorist organizations; and H. Res. 99, Expressing the condolences of the House of Representatives to the families of the victims of the terrorist attacks in Madrid that occurred one year ago, on March 11, 2004, and expressing deepest sympathy to the individuals injured in those attacks and to the people of the Kingdom of Spain.

DIGITAL MUSIC LICENSING

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property held a hearing entitled "Digital Music Licensing and Section 115 of the Copyright Act." Testimony was heard from public witnesses.

TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS

Committee on Rules: Granted, by voice vote, a structured rule providing for consideration of H.R. 3, Transportation Equity Act: A Legacy for Users. The rule provides two hours and twenty minutes of general debate, with two hours and 10 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure, including a final period of 10 minutes following consideration of the bill for amendment, and 10 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill, modified by the amendment printed in part A of the Rules Committee report accompanying the resolution, shall be considered as adopted in the House and in the Committee of the Whole. The rule provides that the bill, as amended, shall be considered as the original bill for the purpose of further amendment and shall be considered as read. The rule waives all points of order against provisions in the bill, as amended. The rule makes in order only those amendments printed in part B of the Rules Committee report which may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment or demand for division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in part B. After disposition of the amendments printed in part B, the Committee shall rise without motion. No further consideration of the bill shall be in order except pursuant to a subsequent order of the House. Testimony was heard from Chairman Young (AK), Representatives Petri, Graves, LaTourette, Kennedy (MN), Boozman, Osborne, Tom Davis (VA), Pitts, Flake, Burgess, Conaway, DeFazio, Menendez and Pascrell.

SMALL BUSINESS PRIORITIES

Committee on Small Business: Held a hearing on Small Business Priorities for the 109th Congress, with discussion of H. Res. 22, Expressing the sense of the House of Representatives that American small businesses are entitled to a Small Business Bill of Rights. Testimony was heard from public witnesses.

PHYSICIAN-OWNED SPECIALTY HOSPITALS

Committee on Ways and Means: Subcommittee on Health held a hearing on Physician-Owned Specialty Hospitals. Testimony was heard from Glenn M. Hackbarth, Chairman, Medicare Payment Advisory Commission; Tom Gustafson, Deputy Director, Center for Medicare Management, Centers for Medicare and Medicaid Services, Department of Health and Human Services; and public witnesses.

PRESIDENT'S PROPOSAL FOR SINGLE-EMPLOYER PENSION FUNDING REFORM

Committee on Ways and Means: Subcommittee on Select Revenue Measures held a hearing on the President's Proposal for Single-Employer Pension Funding Reform. Testimony was heard from Bradley Belt, Executive Director, Pension Benefit Guaranty Corporation; Mark Warshawsky, Assistant Secretary, Economic Policy, Department of the Treasury; Ann L. Combs, Assistant Secretary, Employee Benefits Security Administration, Department of Labor; and public witnesses.

Joint Meetings

HUMAN RIGHTS IN EUROPE

Commission on Security and Cooperation in Europe (Helsinki Commission): Commission concluded a hearing to examine the challenges facing the Organization for Security and Cooperation in Europe in 2005, focusing on security and human rights, after receiving testimony from Dimitrij Rupel, Chairman, Commission on Security and Cooperation in Europe, and Minister of Foreign Affairs, Republic of Slovenia.

Wednesday, March 9, 2005

Senate

Chamber Action

Routine Proceedings, pages 3807–3915

Measures Introduced: Seventeen bills and four resolutions were introduced, as follows: S. 570–586, S. Res. 76–78, and S. Con. Res. 16. **Page 3894**

Measures Reported:

S. 134, to adjust the boundary of Redwood National Park in the State of California. (S. Rept. No. 109–23)

S. 205, to authorize the American Battle Monuments Commission to establish in the State of Louisiana a memorial to honor the Buffalo Soldiers, with an amendment. (S. Rept. No. 109–24)

S. 207, to adjust the boundary of the Barataria Preserve Unit of the Jean Lafitte National Historical Park and Preserve in the State of Louisiana. (S. Rept. No. 109–25)

S. 243, to establish a program and criteria for National Heritage Areas in the United States. (S. Rept. No. 109–26)

S. 250, to amend the Carl D. Perkins Vocational and Technical Education Act of 1998 to improve the Act, with an amendment in the nature of a substitute. **Page 3894**

Measures Passed:

Terrorist Attacks Anniversary: Senate agreed to S. Res. 76, expressing the sense of the Senate on the anniversary of the deadly terrorist attacks launched against the people of Spain on March 11, 2004. **Page 3814**

Condemning Terrorism: Senate agreed to S. Res. 77, condemning all acts of terrorism in Lebanon and calling for the removal of Syrian troops from Lebanon and supporting the people of Lebanon in their quest for a truly democratic form of government. **Page 3814**

Bankruptcy Reform Act: Senate continued consideration of S. 256, a bill to amend title 11 of the United States Code, taking action on the following amendments proposed thereto: **Page 3816**

Adopted:

Feingold Amendment No. 87, to amend section 104 of title 11, United States Code, to include certain provisions in the triennial inflation adjustment of dollar amounts. **Page 3853**

Feingold Amendment No. 91, to amend section 303 of title 11, United States Code, with respect to the sealing and expungement of court records relating to fraudulent involuntary bankruptcy petitions. **Page 3853**

Rejected:

By 42 yeas to 58 nays (Vote No. 31), Durbin Amendment No. 110, to clarify that the means test does not apply to debtors below median income. **Page 3821**

By 48 yeas to 52 nays (Vote No. 32), Harkin Amendment No. 66, to increase the accrual period for the employee wage priority in bankruptcy. **Pages 3818, 3822**

By 40 yeas to 60 nays (Vote No. 33), Boxer Amendment No. 62, to provide for the potential disallowance of certain claims. **Pages 3819, 3822**

By 42 yeas to 58 nays (Vote No. 34), Dodd Amendment No. 67, to modify the bill to protect families. **Pages 3820, 3821, 3835**

By 47 yeas to 53 nays (Vote No. 35), Dodd (for Kennedy) Amendment No. 68, to provide a maximum amount for a homestead exemption under State law. **Pages 3832, 3836**

Withdrawn:

Bingaman Amendment No. 51, to amend certain provisions regarding attorney actions on behalf of debtors. **Page 3829**

Feingold Amendment No. 101, to amend the definition of small business debtor. **Page 3853**

Feingold Amendment No. 100, to provide authority for a court to order disgorgement or other remedies relating to an agreement that is not enforceable. **Page 3853**

Feingold Amendment No. 99, to provide no bankruptcy protection for insolvent political committees. **Page 3853**

Feingold Amendment No. 98, to modify the disclosure requirements for debt relief agencies providing bankruptcy assistance. **Page 3853**

Feingold Amendment No. 97, to amend the provisions relating to chapter 13 plans to have a 5-year duration in certain cases and to amend the definition of disposable income for purposes of chapter 13. **Page 3853**

Feingold Amendment No. 94, to clarify the application of the term disposable income. **Page 3853**

Feingold Amendment No. 88, to amend the plan filing and confirmation deadlines. **Page 3853**

Dodd (for Kennedy) Amendment No. 119, to amend section 502(b) of title 11, United States Code, to limit usurious claims in bankruptcy. **Page 3853**

Dodd (for Kennedy) Amendment No. 71, to strike the provision relating to the presumption of luxury goods. **Page 3853**

Dodd (for Kennedy) Amendment No. 72, to ensure that families below median income are not subjected to means test requirements. **Page 3853**

Dodd Amendment No. 53, to require prior notice of rate increases. **Page 3853**

Dodd Amendment No. 52, to prohibit extensions of credit to underage consumers. **Page 3853**

Reid (for Baucus) Amendment No. 50, to amend section 524(g)(1) of title 11, United States Code, to predicate the discharge of debts in bankruptcy by an vermiculite mining company meeting certain criteria on the establishment of a health care trust fund for certain individuals suffering from an asbestos related disease. **Page 3853**

Dorgan/Durbin Amendment No. 45, to establish a special committee of the Senate to investigate the awarding and carrying out of contracts to conduct activities in Afghanistan and Iraq and to fight the war on terrorism. **Page 3853**

Pending:

Kennedy (for Leahy/Sarbanes) Amendment No. 83, to modify the definition of disinterested person in the Bankruptcy Code. **Pages 3817, 3838**

Dodd (for Kennedy) Amendment No. 69, to amend the definition of current monthly income. **Pages 3817, 3834**

Dodd (for Kennedy) Amendment No. 70, to exempt debtors whose financial problems were caused by failure to receive alimony or child support, or both, from means testing. **Pages 3817, 3833**

Akaka Amendment No. 105, to limit claims in bankruptcy by certain unsecured creditors. **Pages 3817, 3823**

Feingold Amendment No. 90, to amend the provision relating to fair notice given to creditors. **Pages 3817, 3853**

Feingold Amendment No. 92, to amend the credit counseling provision. **Pages 3817, 3853**

Feingold Amendment No. 93, to modify the disclosure requirements for debt relief agencies providing bankruptcy assistance. **Pages 3817, 3853**

Feingold Amendment No. 95, to amend the provisions relating to the discharge of taxes under chapter 13. **Pages 3817, 3853**

Feingold Amendment No. 96, to amend the provisions relating to chapter 13 plans to have a 5-year duration in certain cases and to amend the definition of disposable income for purposes of chapter 13. **Pages 3817, 3853**

Talent Amendment No. 121, to deter corporate fraud and prevent the abuse of State self-settled trust law. **Pages 3817, 3853**

Schumer Amendment No. 129 (to Amendment No. 121), to limit the exemption for asset protection trusts. **Pages 3817, 3853**

Durbin Amendment No. 112, to protect disabled veterans from means testing in bankruptcy under certain circumstances. **Pages 3817, 3853**

A unanimous-consent agreement was reached providing for further consideration of the bill at 11 a.m., on Thursday, March 10, 2005; that all time be considered expired under the provisions of Rule XXII; that votes occur on, or in relation to, certain amendments; that no further amendments be in order, other than the possibility of a further second-degree amendment offered by Senator Talent, which has been filed, and a Managers' amendment which has been cleared by both Leaders; and that following the disposition of the above-listed amendments, the bill be read a third time, with a vote to occur on final passage of the bill. **Page 3853**

Nominations Discharged: The following nominations were discharged from further committee consideration and placed on the Executive Calendar:

Edward L. Flippen, of Virginia, to be Inspector General, Corporation for National and Community Service, which was sent to the Senate on January 24, 2005, from the Senate Committee on Homeland Security and Governmental Affairs.

Measures Read First Time: **Pages 3893, 3915**

Executive Communications: **Page 3893**

Executive Reports of Committees: **Page 3894**

Additional Cosponsors: **Page 3895**

Statements on Introduced Bills/Resolutions: **Page 3896**

Additional Statements: **Page 3892**

Amendments Submitted: **Page 3914**

Authority for Committees to Meet: **Page 3914**

Privilege of the Floor: **Page 3915**

Record Votes: Five record votes were taken today. (Total—35) **Pages 3822–23, 3836**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 8:32 p.m., until 9:30 a.m., on Thursday, March 10, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 3915.)

Committee Meetings

APPROPRIATIONS: ARMY

Committee on Appropriations: Subcommittee on Defense concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the Army, after receiving testimony from Francis J. Harvey, Secretary, and General Peter J. Schoomaker, Chief of Staff, both of the Army.

DEFENSE: AIR FORCE SCIENCE AND TECHNOLOGY

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities concluded a hearing to examine the Department of Defense science and technology budget and strategy, after receiving testimony from Ronald M. Sega, Director, Defense Research and Engineering; Thomas H. Killion, Deputy Assistant Secretary of the Army for Research and Technology, Chief Scientist; Rear Admiral Jay M. Cohen, USN, Chief of Naval Research; James B. Engle, Deputy Assistant Secretary of the Air Force for Science, Technology, and Engineering; and Anthony J. Tether, Director, Defense Advanced Research Projects Agency.

SECURITIES INDUSTRY

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the state of the securities industry, focusing on recent initiatives regarding market structure, credit rating agencies, mutual funds and the implementation of the Sarbanes-Oxley requirements, after receiving testimony from William H. Donaldson, Chairman, Securities and Exchange Commission.

NOMINATION

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported the nomination of Ronald Rosenfeld, of Oklahoma, to be a Director of the Federal Housing Finance Board.

2006 BUDGET

Committee on the Budget: Committee met to mark up a proposed concurrent resolution setting forth the fiscal year 2006 budget for the Federal Government, but did not complete consideration thereon, and will meet again tomorrow.

NOMINATIONS

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the nominations of Patricia Lynn Scarlett, of California, to be Deputy Secretary of the Interior, and Jeffrey Clay Sell, of Texas, to be Deputy Secretary of Energy, who was introduced by Senator Hutchison, after the nominees testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on Environment and Public Works: Committee completed its markup of S. 131, to amend the Clean Air Act to reduce air pollution through expansion of cap and trade programs, to provide an alternative regulatory classification for units subject to the cap and trade program, following which a tie vote occurred, therefore the committee was unable to report the bill.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the following business items:

An original bill entitled the "Personal Responsibility and Individual Development for Everyone (PRIDE) Act"; and

The nominations of Harold Damelin, of Virginia, to be Inspector General, Department of the Treasury, and Raymond Thomas Wagner, Jr., of Missouri, to be a Member of the Internal Revenue Service Oversight Board.

DEPARTMENT OF HOMELAND SECURITY BUDGET

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2006 for the Department of Homeland Security, after receiving testimony from Michael Chertoff, Secretary of Homeland Security.

NOMINATION

Committee on Homeland Security and Governmental Affairs: Committee ordered favorably reported the nomination of Michael Jackson, of Virginia, to be Deputy Secretary of Homeland Security.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported the following bills:

S. 250, to amend the Carl D. Perkins Vocational and Technical Education Act of 1998 to improve the Act, with an amendment in the nature of a substitute;

S. 525, to amend the Child Care and Development Block Grant Act of 1990 to reauthorize the Act, to improve early learning opportunities and promote school preparedness;

S. 172, to amend the Federal Food, Drug, and Cosmetic Act to provide for the regulation of all contact lenses as medical devices; and

S. 544, to amend title IX of the Public Health Service Act to provide for the improvement of patient safety and to reduce the incidence of events that adversely effect patient safety.

BUSINESS MEETING

Committee on Indian Affairs: Committee ordered favorably reported the following bills:

S. 147, to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity, with an amendment in the nature of a substitute; and

S. 536, to make technical corrections to laws relating to Native Americans.

INDIAN TRUST REFORM

Committee on Indian Affairs: Committee concluded an oversight hearing to examine trust management reform within the Department of the Interior, after receiving testimony from James Cason, Acting Assistant Secretary for Indian Affairs, and Ross O. Swimmer, Special Trustee for American Indians, both of the Department of the Interior; Tex G. Hall, National Congress of American Indians, and Keith Harper, Native American Rights Fund, both of Washington, D.C.; Jim Gray, Intertribal Monitoring Association on Indian Trust funds, Albuquerque, New Mexico; Charles C. Colombe, Rosebud Sioux Tribe of South Dakota, Rosebud; and Darrell Hillaire, Lummi Indian Nation, Bellingham, Washington, on behalf of the California Tribal Trust Reform Consortium.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Measures Introduced: 30 public bills, H.R. 1181–1210; 1 private bill, H.R. 1211; and 4 resolutions, H. Con. Res. 88–90, and H. Res. 145, were introduced. **Page 4161**

Additional Cosponsors: **Page 4162**

Reports Filed: Reports were filed today as follows:

H. Res. 144, providing for further consideration of H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs (H. Rept. 109–15). **Page 4161**

Speaker: Read a letter from the Speaker wherein he appointed Representative Miller of Michigan to act as Speaker Pro Tempore for today. **Page 3916**

Chaplain: The prayer was offered today by Rev. Mary E. Moore, Pastor, New Salem Baptist Church in Memphis, Tennessee. **Page 3916**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Sense of the House that a National Tartan Day should be established: H. Res. 41, expressing the sense of the House of Representatives that a day should be established as "National Tartan Day" to recognize the outstanding achievements and contributions made by Scottish Americans to the United States; and **Page 3918**

Recognizing the contributions of the U.S. Marine Corps and other units of the Armed Forces on the 60th anniversary of the Battle of Iwo Jima: H. Res. 119, recognizing the contributions of the United States Marine Corps and other units of the United States Armed Forces on the occasion of the 60th anniversary of the Battle of Iwo Jima during World War II. **Page 3921**

Transportation Equity Act—A Legacy for Users: The House began consideration of H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs. Further proceedings will resume tomorrow, March 10. **Page 3928**

Agreed that the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill and modified by the amendment printed in part A of H. Rept. 109–14 be adopted; and further that the bill, as amended, is considered as the original bill for the purpose of further amendment. **Page 3945**

Accepted:

Moran of Kansas amendment (No. 4 printed in part B of H. Rept. 109–14) amends the exemption for maximum driving and on duty time for drivers of motor carriers transporting agricultural commodities or farm supplies at the time of planting or harvest for a 100 air mile radius to the distribution point of the source of the commodities by including in the definition of "agricultural commodities", livestock, food, feed, and fiber, and other farm products (by a recorded vote of 257 ayes to 167 noes, Roll No. 57); **Pages 4083, 4085**

Kuhl amendment (No. 5 printed in part B of H. Rept. 109–14) that names a portion of Interstate 86 in upstate New York in the vicinity of the City of Corning, the "Amo Houghton Bypass", after Former Congressman Amo Houghton who retired from Congress in 2004 after serving 18 years; **Page 4086**

Cox amendment (No. 7 printed in part B of H. Rept. 109–14) that clarifies that states are not pre-empted under federal law from requiring one or both of the following from tow-truck operators when they are removing a vehicle from private property without the consent of the vehicle owner or operator: first, a state can require that the tow-truck operator have written permission from the owner of the private property authorizing the non-consensual tow; and second, a state can require that the owner of the private property be present at the time the vehicle is towed from the private property. **Page 4089**

Osborne amendment (No. 6 printed in part B of H. Rept. 109–14) that exempts the State of Nebraska from the ISTEA 1991 truck length freeze, subject to a change in state statute, to allow the operation of commercial vehicle combinations not exceeding 81 feet, six inches for custom harvesters operating in the State of Nebraska (by a recorded vote of 236 ayes to 184 noes, Roll No. 58); and **Pages 4088, 4099**

Graves amendment (No. 10 printed in part B of H. Rept. 109–14) that eliminates liability under state law for an owner of a motor vehicle or their affiliate who is engaged in the business of renting and leasing motor vehicles provided there is no negligence or criminal wrongdoing on the part of the motor vehicle owner or affiliate (by a recorded vote of 218 ayes to 201 noes, Roll No. 60). **Page 4096, 4101**

Rejected:

Conaway amendment (No. 2 printed in part B of H. Rept. 109–14) that sought to exempt commercial motor vehicle operators working in field operations for the natural gas and oil industry from the hours of service rules issued by the Federal Motor Carrier Safety Administration (by a recorded vote of 198 ayes to 226 noes, Roll No. 56); and **Pages 4082, 4084**

Kennedy of Minnesota amendment (No. 8 printed in part B of H. Rept. 109–14) that sought to streamline tolling authority to charge tolls on new lanes, and dedicates those revenues to the user fee purpose (by a recorded vote of 155 ayes to 265 noes, Roll No. 59). **Pages 4091, 4100**

Withdrawn:

Boozman amendment (No. 1 printed in part B of H. Rept. 109–14) that was offered and subsequently withdrawn that would have allowed operators of a property carrying motor vehicle to take up to two hours of off-duty time, as defined by FMSCA, during their 14 hours on duty, so as not to exceed 16 hours; and **Page 4080**

Kuhl amendment (No. 3 printed in part B of H. Rept. 109–14) that was offered and subsequently withdrawn that would have amended the exemption for maximum driving and on duty time for drivers of motor carriers transporting agricultural commodities or farm supplies at the time of planting or harvesting for a 100 air mile radius to the distribution point of the source of the commodities, by increasing the air mile radius to 150. **Page 4083**

H. Res. 140, the rule providing for consideration of the bill was agreed to by voice vote. **Page 3924**

Recess: The House recessed at 7:45 p.m. and reconvened at 9:28 p.m. **Page 4122**

Quorum Calls—Votes: Five recorded votes developed during the proceedings of today and appear on pages 4085–86 and 4099–4101. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 9:29 p.m.

Committee Meetings

CFTC REAUTHORIZATION

Committee on Agriculture: Subcommittee on General Farm Commodities and Risk Management continued hearings on Reauthorization of the Commodity Futures Trading Commission. Testimony was heard from public witnesses.

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense met in executive session to hold a hearing on the National Intelligence Program Budget. Testimony was heard from Larry Kindsvater, Deputy Director, Central Intelligence Community Management, CIA.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS

Committee on Appropriations: Subcommittee on The Department of Homeland Security held a hearing on FEMA. Testimony was heard from Mike Brown, Under Secretary, Emergency Preparedness and Response, Department of Homeland Security.

LABOR, HHS, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Department of Labor, Health and Human Services, Education and Related Agencies held a hearing on NIH. Testimony was heard from Elias A. Zerhouni, M.D. Director, NIH, Department of Health and Human Services.

ENERGY AND WATER DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Energy and Water Development, and Related Agencies held a hearing on Secretary of Energy. Testimony was heard from Samuel W. Bodman, Secretary of Energy.

INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held a hearing on the Fish and Wildlife Service. Testimony was heard from Steven A. Williams, Director, U.S. Fish and Wildlife Service, Department of the Interior.

MILITARY QUALITY OF LIFE, AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Quality of Life, and Veterans Affairs, and Related Agencies held a hearing on Air Force Budget. Testimony was heard from the following officials of the Department of the Air Force: GEN John P. Jumper, Chief of Staff; and Fred Kuhn, Acting Assistant Secretary, Installations, Environment and Logistics.

The Subcommittee also held a hearing on Navy/Marine Corps Budget. Testimony was heard from the following officials of the Department of the Navy: ADM Vern Clark, USN, Chief of Naval Operations; Gen. Michael W. Hagee, USMC, Commandant of the Marine Corps; and B.J. Penn, Assistant Secretary, Installations and Environment.

SCIENCE, THE DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Science, State, Justice, and Commerce, and Related Agencies held a hearing on Secretary of State. Testimony was heard from Condoleezza Rice, Secretary of State.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST FISCAL YEAR 2006

Committee on Armed Services: Continued hearings on the Fiscal Year National Defense Authorization budget request. Testimony was heard from the following officials of the Department of Defense: GEN James Jones, USMC, Combatant Commander, U.S. European Command; ADM William J. Fallon, USN, Combatant Commander, U.S. Pacific Command; and GEN Bantz J. Craddock, USA, Combatant Commander, U.S. Southern Command.

Will continue tomorrow.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST FISCAL YEAR 2006—SPACE ACTIVITIES

Committee on Armed Services: Subcommittee on Strategic Forces held a hearing on the Fiscal Year 2006 National Defense Authorization budget request for space activities. Testimony was heard from the following officials of the Department of Defense: Peter B. Teets, Under Secretary, Air Force, Space; GEN Lance W. Lord, USAF, Commander, U.S. Air Force Command; LTG Larry Dodgen, USA, Commander, U.S. Army Space and Missile Defense Command; VADM Joseph Sestak, USN, Deputy Chief of Naval Operations, Warfare Requirements and Programs; and BG Thomas Benes, USMC, Director, Strategy and Plans Division, U.S. Marine Corps.

DOD—UNMANNED AERIAL VEHICLE AND JOINT UNMANNED COMBAT AIR SYSTEM INVESTMENT PROGRAMS BUDGET REQUEST

Committee on Armed Services: Subcommittee on Tactical Air and Land Forces held a hearing on the Fiscal Year 2006 National Defense Authorization budget request on Department of Defense unmanned aerial vehicle and Joint Unmanned Combat Air System investment programs. Testimony was heard from the following officials of the GAO: Sharon Pickup, Director, Defense Capabilities and Management; and Mike Sullivan, Director, Acquisition and Sourcing Management; and the following officials of the Department of Defense: Glen Lamartin, Director, Defense Systems, Office of the Secretary; LTG Ronald E. Keys, USAF, Deputy Chief of Staff, Air and Space Operations; BG Jeff Schloesser, USA, Director, Army Aviation Task Force; RADM Andy Winns, USN, Deputy N78 Aviation Requirements Officer, USN; and BG Martin Post, USMC, Assistant Deputy Commandant, Aviation.

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2006

Committee on the Budget: Ordered reported the Concurrent Resolution on the Budget for Fiscal Year 2006.

VOCATIONAL AND TECHNICAL EDUCATION FOR THE FUTURE ACT

Committee on Education and the Workforce: Ordered reported, as amended, H.R. 366, Vocational and Technical Education for the Future Act.

SPY ACT

Committee on Energy and Commerce: Ordered reported, as amended, H.R. 29, Spy Act.

GLOBAL EARTH OBSERVATION

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "The Implementation of GEOSS: A Review of the All-Hazards Warning System and its Benefits to Public Health, Energy and the Environment." Testimony was heard from VADM Conrad C. Lautenbacher, Jr., USN (Ret.), Under Secretary, Oceans and Atmosphere and Administrator, NOAA, Department of Commerce; Allen Drearry, Associate Director, Division of Research Coordination Planning and Translation, National Institute of Environmental Health Science, NIH, Department of Health and Human Services; Gary Foley, Director, National Exposure Research Laboratory, EPA; Ari Patrinos, Associate Director, Biological and Environmental Research, Department of Energy; and public witnesses.

GSE REFORM AND THE FEDERAL HOME LOAN BANK SYSTEM

Committee on Financial Services: Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises held a hearing entitled "GSE Reform and the Federal Home Loan Bank System." Testimony was heard from Ronald A. Rosenfeld, Chairman, Federal Housing Finance Board; David H. Hehman, President and Chief Executive Officer, Federal Home Loan Bank, Cincinnati, Ohio; and public witnesses.

CUSTOMS AND BORDER PROTECTION STRUCTURE

Committee on Homeland Security: Subcommittee Management, Integration and Oversight held a hearing entitled "CBP and ICE: Does the Current Organizational Structure Best Serve U.S. Homeland Security Interests?" Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on International Relations: Authorized the Chairman to seek consideration under suspension of the rules for the following measures, with amendments deemed agreed to, H. Con. Res. 18, Expressing the grave concern of Congress regarding the continuing gross violations of human rights and civil liberties of the Syrian and Lebanese people by the Government of the Syrian Arab Republic; H. Con. Res. 32, Expressing the grave concern of Congress regarding the occupation of the Republic of Lebanon by the Syrian Arab Republic; H. Con. Res. 34, Honoring the life and contributions of Yogi Bhajan, a leader of Sikhs, and expressing condolences to the Sikh community on his passing; H. Con. Res. 81, Expressing the sense of the House of Representatives regarding the two-year anniversary of the human rights crackdown in Cuba; H. Con. Res. 82, Expressing the grave concern of Congress regarding the arrest of Ayman Nour, the leader of the al-Ghad party, by the Government of the Arab Republic of Egypt and the support of Congress for continued progress toward democracy in Egypt; H. Res. 101, Urging the European Union to add Hezbollah to the European Union's wide-ranging list of terrorist organizations; H. Res. 120, Commending the outstanding efforts by members of the Armed Forces and civilian employees of the Department of State and the United States Agency for International Development in response to the earthquake and tsunami of December 26, 2004; H. Res. 135, Providing for the establishment of a commission in the House of Representatives to assist parliaments in emerging democracies; H. Con. Res. 83, Urging the appropriate representative of the United States to the 61st session of the United Nations Commission on Human Rights to introduce a resolution calling upon the Government of the People's Republic of China to end its human rights violations in China; H. Res. 99, Expressing condolences of the House of Representatives to the families of the victims of the terrorist attacks in Madrid that occurred one year ago, on March 11, 2004, and expressing deepest sympathy to the individuals injured in those attacks and to the people of the Kingdom of Spain; and H. Res. 108, Commemorating the life of the late Zurab Zhvania, Prime Minister of the Republic of Georgia.

HUMAN TRAFFICKING

Committee on International Relations: Subcommittee on Africa, Global Human Rights and International Operations held a hearing on Combating Human Trafficking: Achieving Zero Tolerance. Testimony was heard from John R. Miller, Director, Office to Monitor and Combat Trafficking in Persons, Department of State; and public witnesses.

U.S.-RUSSIA RELATIONS

Committee on International Relations: Subcommittee on Europe and Emerging Threats held a hearing on Developments in U.S.-Russia Relations. Testimony was heard from Representative Weldon (PA); and public witnesses.

U.S.-PALESTINIAN RELATIONS

Committee on International Relations: Subcommittee on Middle East and Central Asia held a hearing on U.S. Policy Toward the Palestinians in the Post-Arafat Era Testimony was heard from the following officials of the Department of State: David M. Satterfield, Acting Assistant Secretary, Bureau of Near Eastern Affairs; and James Kunder, Assistant Administrator, Asia and the Near East, AID.

LATIN AMERICA DEMOCRACY

Committee on International Relations: Subcommittee on the Western Hemisphere held a hearing on The State of Democracy in Latin America. Testimony was heard from following officials of the Department of State: Roger F. Noriega, Assistant Secretary, Bureau of Western Hemisphere Affairs; and Adolfo Franco, Assistant Administrator, Bureau for Latin America and the Caribbean, USIA; and public witnesses.

MISCELLANEOUS MEASURES; COMMITTEE BUSINESS

Committee on the Judiciary: Ordered reported the following measures: S. 167, amended, Family Entertainment and Copyright Act of 2005; H.R. 683, amended, Trademark Dilution Revision Act of 2005; H.R. 1037, To make technical corrections to title 17, United States Code; H.R. 1036, To amend title 17, United States Code, to make technical corrections relating to copyright royalty judges; H.R. 1038, Multidistrict Litigation Restoration Act of 2005; and H. Con. Res. 53, Expressing the sense of the Congress regarding the issuance of the 500,000th design patent by the United States Patent and Trademark Office.

The Committee also approved pending Committee business.

OVERSIGHT—BUDGET REQUEST FOR FOREST SERVICE AND BUREAU OF LAND MANAGEMENT

Committee on Resources: Subcommittee on Forests and Forest Health held an oversight hearing on FY06 President's Budget for the Forest Service and the Bureau of Land Management. Testimony was heard from Kathleen B. Clarke, Director, Bureau of Land Management, Department of the Interior; and Mark Rey, Under Secretary, Natural Resources and Environment, USDA.

TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS

Committee on Rules: Granted, by voice vote, a structured rule providing for further consideration of H.R. 3, Transportation Equity Act: A Legacy for Users. The rule provides for no further general debate (except for the final period of ten minutes contemplated in House Resolution 140). The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. The rule provides that the amendments printed in the report may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions. No testimony was heard.

NSF BUDGET AND MANAGEMENT CHALLENGES

Committee on Science: Subcommittee on Research held a hearing on the NSF Budget and Management Challenges. Testimony was heard from the following officials of the NSF: Arden L. Bement, Jr., Director, Mark S. Wrighton, Chairman, Audit and Oversight Committee, National Science Board; and Christine C. Boesz, Inspector General.

FUTURE OF SOCIAL SECURITY

Committee on Ways and Means: Held a hearing on the Future of Social Security. Testimony was heard from David M. Walker, Comptroller General, GAO; and the following Public Trustees of the Social Security and Medicare Trust Fund: Thomas R. Saving; and John L. Palmer.

BUDGET

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on the Budget. Testimony was heard from departmental witnesses.

Hearings continue tomorrow.

Joint Meetings

VETERANS OF FOREIGN WARS

Joint Hearing: Senate Committee on Veterans' Affairs concluded joint hearings with the House Committee on Veterans' Affairs to examine the legislative recommendations of the Veterans of Foreign Wars, after receiving testimony from John Furgess, Veterans of Foreign Wars of the United States, Washington, D.C.

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Thursday, March 10, 2005

Senate

Chamber Action

Routine Proceedings, pages 4287–4391

Measures Introduced: Sixteen bills and four resolutions were introduced, as follows: S. 587–602, S. Res. 79–81, and S. Con. Res. 17. **Page 4368**

Measures Reported:

S. 99, to authorize the Secretary of the Interior to contract with the city of Cheyenne, Wyoming, for the storage of the city's water in the Kendrick Project, Wyoming. (S. Rept. No. 109–27)

S. 152, to enhance ecosystem protection and the range of outdoor opportunities protected by statute in the Skykomish River valley of the State of Washington by designating certain lower-elevation Federal lands as wilderness, with amendments. (S. Rept. No. 109–28)

S. 176, to extend the deadline for commencement of construction of a hydroelectric project in the State of Alaska. (S. Rept. No. 109–29)

S. 231, to authorize the Bureau of Reclamation to participate in the rehabilitation of the Wallowa Lake Dam in Oregon. (S. Rept. No. 109–30)

S. 232, to authorize the Secretary of the Interior, acting through the Bureau of Reclamation, to assist in the implementation of fish passage and screening facilities at non-Federal water projects. (S. Rept. No. 109–31)

S. 244, to extend the deadline for commencement of construction of a hydroelectric project in the State of Wyoming. (S. Rept. No. 109–32)

S. 264, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize certain projects in the State of Hawaii. (S. Rept. No. 109–33)

S. 272, to designate certain National Forest System land in the Commonwealth of Puerto Rico as components of the National Wilderness Preservation System, with amendments. (S. Rept. No. 109–34)

S. 600, to authorize appropriations for the Department of State and international broadcasting activities for fiscal years 2006 and 2007, for the Peace Corps for fiscal years 2006 and 2007, for foreign assistance programs for fiscal years 2006 and 2007. (S. Rept. No. 109–35) **Page 4368**

Measures Passed:

Carl D. Perkins Vocational and Technical Education Act Amendment: By a unanimous vote of 99 yeas (Vote No. 43), Senate passed S. 250, to amend the Carl D. Perkins Vocational and Technical Education Act of 1998 to improve the Act, after agreeing to the committee amendment in the nature of a substitute. **Pages 4311, 4346**

Bankruptcy Reform Act: By 74 yeas to 25 nays (Vote No. 44), Senate passed S. 256, a bill to amend title 11 of the United States Code, after taking action on the following amendments proposed thereto: **Pages 4298, 4343**

Adopted:

By a unanimous vote of 99 yeas (Vote No. 40), Durbin Amendment No. 112, to protect disabled veterans from means testing in bankruptcy under certain circumstances. **Page 4309**

By 73 yeas to 26 nays (Vote No. 42), Talent Amendment No. 121, to deter corporate fraud and prevent the abuse of State self-settled trust law. **Page 4311**

Feingold Modified Amendment No. 92, to amend the credit counseling provision. **Page 4347**

Rejected:

By 41 yeas to 58 nays (Vote No. 36), Dodd (for Kennedy) Amendment No. 70, to exempt debtors whose financial problems were caused by failure to receive alimony or child support, or both, from means testing. **Page 4298**

By 41 yeas to 58 nays (Vote No. 37), Dodd (for Kennedy) Amendment No. 69, to amend the definition of current monthly income. **Page 4299**

By 38 yeas to 61 nays (Vote No. 38), Akaka Amendment No. 105, to limit claims in bankruptcy by certain unsecured creditors. **Page 4299**

By 44 yeas to 55 nays (Vote No. 39), Kennedy (for Leahy/Sarbanes) Amendment No. 83, to modify the definition of disinterested person in the Bankruptcy Code. **Page 4307**

By 43 yeas to 56 nays (Vote No. 41), Schumer Amendment No. 129 (to Amendment No. 121), to limit the exemption for asset protection trusts. **Page 4310**

Withdrawn:

Feingold Amendment No. 90, to amend the provision relating to fair notice given to creditors. **Pages 4346**

Feingold Amendment No. 93, to modify the disclosure requirements for debt relief agencies providing bankruptcy assistance. **Page 4347**

Feingold Amendment No. 95, to amend the provisions relating to the discharge of taxes under chapter 13. **Page 4347**

Feingold Amendment No. 96, to amend the provisions relating to chapter 13 plans to have a 5-year duration in certain cases and to amend the definition of disposable income for purposes of chapter 13. **Page 4347**

During consideration of this measure today, Senate also took the following action:

Feingold Amendment No. 87, to amend section 104 of title 11, United States Code, to include certain provisions in the triennial inflation adjustment of dollar amounts, previously agreed to on Wednesday, March 9, 2005, was modified by unanimous consent. **Page 4347**

Regarding Georgia and Moldova: Committee on Foreign Relations was discharged from further consideration of S. Res. 69, expressing the sense of the Senate about the actions of Russia regarding Georgia and Moldova, and the resolution was then agreed to. **Page 4387**

National Safe Place Week: Committee on the Judiciary was discharged from further consideration of S. Res. 71, designating the week beginning March 13, 2005 as "National Safe Place Week", and the resolution was then agreed to, after agreeing to the following amendment proposed thereto: **Page 4388**

McConnell (for Craig) Amendment No. 139, to strike the request for a Presidential proclamation. **Page 4388**

Yad Vashem Complex: Senate agreed to S. Res. 79, expressing the sense of the Senate in marking the dedication on March 15, 2005, of the expanded museum complex at Yad Vashem, the Holocaust Martyrs and Heroes Remembrance Authority in Israel, in furtherance of Yad Vashem's mission to document the history of the Jewish people during the Holocaust, to preserve the memory and story of each of the victims, impart the legacy of the Holocaust to future generations, and recognize the Righteous Among the Nations. **Page 4388**

Honoring Fern Holland: Senate agreed to S. Res. 80, honoring the life of Fern Holland and expressing the deepest condolences of the Senate to her family on their loss. **Page 4389**

Honoring Chris LeDoux: Senate agreed to S. Res. 81, recognizing the contribution of Chris LeDoux to country music. **Page 4390**

Concurrent Budget Resolution—Agreement: A unanimous-consent agreement was reached providing for the consideration of an original resolution setting forth the fiscal year 2006 budget for the Federal Government, at 10 a.m., on Monday, March 14, 2005, and that there be a total of 45 hours remaining on the resolution, with 22 hours controlled by the Majority and 23 hours controlled by the Minority. **Page 4366**

Nomination Referral—Agreement. On Thursday, March 10, 2005, a unanimous-consent agreement was reached providing that when the nomination for the Assistant Secretary for Civil Works is received by the Senate, it be referred to the Committee on Armed Services, provided that when the Committee on Armed Services reports the nomination, it be referred to the Committee on Environment and Public Works for a period of 20 days of session, provided further that if the Committee on Environment and Public Works does not report the nomination within those 20 days, the Committee be discharged from further consideration of the nomination and the nomination be placed on the calendar. **Page 4386**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report on the national emergency with respect to Iran; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–9) **Page 4367**

Appointments:

NATO Parliamentary Assembly: The Chair, on behalf of the Vice President, in accordance with 22 U.S.C. 1928–1928d, as amended, appointed Senator Biden as Vice Chairman of the Senate Delegation to the NATO Parliamentary Assembly during the 109th Congress. **Page 4387**

Mexico-U.S. Interparliamentary Group: The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276h–276k, as amended, appointed Senator Dodd as Vice Chairman of the Senate Delegation to the Mexico-U.S. Interparliamentary Group conference during the 109th Congress. **Page 4387**

Public Interest Declassification Board: The Chair, on behalf of the Majority Leader, pursuant to Public Law 105–567, as amended by Public Law 108–458 (Section 1102), appointed the following individual to serve as a member of the Public Interest Declassification Board:

Joan Vail Grimson of Virginia. **Page 4387**

Nominations Confirmed: Senate confirmed the following nomination:

Michael Jackson, of Virginia, to be Deputy Secretary of Homeland Security. **Pages 4387, 4391**

Messages From the House: **Page 4368**

Measures Placed on Calendar: **Page 4368**

Executive Reports of Committees: **Page 4368**

Additional Cosponsors: **Page 4369**

Statements on Introduced Bills/Resolutions: **Page 4371**

Additional Statements: **Page 4367**

Amendments Submitted: **Page 4385**

Authority for Committees to Meet: **Page 4386**

Record Votes: Nine record votes were taken today. (Total—44) **Pages 4298–4300, 4309–11, 4346, 4360**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 6:53 p.m., until 9:30 a.m., on Friday, March

11, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 4390.)

Committee Meetings

COMMODITY FUTURES TRADING COMMISSION

Committee on Agriculture, Nutrition, and Forestry: Committee concluded hearings to examine the reauthorization of the Commodity Futures Trading Commission, after receiving testimony from Jeffrey C. Sprecher, Intercontinental Exchange, Inc., Atlanta, Georgia; Robert G. Pickel, International Swaps and Derivatives Association, Inc., New York, New York; Daniel J. Roth, National Futures Association, Chicago, Illinois; and Oliver I. Ireland, Morrison and Forester, LLP, on behalf of Huntsman Corporation, John G. Gaine, Managed Funds Association, and Micah S. Green, The Bond Market Association, all of Washington, D.C.

APPROPRIATIONS: DEPARTMENT OF INTERIOR

Committee on Appropriations: Subcommittee on Interior and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the Department of the Interior, after receiving testimony from Gale A. Norton, Secretary of the Interior.

APPROPRIATIONS: DEPARTMENT OF ENVIRONMENTAL MANAGEMENT AND RADIOACTIVE WASTE MANAGEMENT

Committee on Appropriations: Subcommittee on Energy and Water concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the Environmental Management and Radioactive Waste Management in the Department of Energy, after receiving testimony from Paul M. Golan, Principal Deputy Assistant Secretary for Environmental Management, and Theodore J. Garrish, Deputy Director, Office of Civilian Radioactive Waste Management, both of the Department of Energy.

APPROPRIATIONS: FOSTER CARE INITIATIVES

Committee on Appropriations: Subcommittee on District of Columbia concluded a hearing to examine proposed budget estimates for fiscal year 2006 for funding for Federal foster care initiatives in the District of Columbia, after receiving testimony from Brenda Donald Walker, District of Columbia Child and Family Services Agency; Martha B. Knisley, District of Columbia Department of Mental Health; Lee F. Sattefield, Family Court of District of Columbia Superior Court; Judith Metzler, Center for the Study of Social Policy, and Margie Chalofsky, Foster and Adoptive Family Advocacy Center, both of Washington, D.C.

DEPARTMENT OF DEFENSE DETENTION OPERATIONS

Committee on Armed Services: Committee concluded a hearing to examine the review of Department of Defense detention operations and detainee interrogation techniques, after receiving testimony from Vice Admiral Albert T. Church III, USN, Director of the Navy Staff.

IDENTITY THEFT

Committee on Banking, Housing, and Urban Affairs: Committee held hearings to examine recent developments involving the security of sensitive consumer information relating to identity theft, focusing on laws currently applicable to resellers of consumer information, receiving testimony from Senator Leahy; Deborah Platt Majoras, Chairman, Federal Trade Commission; Larry Johnson, Special Agent in Charge, Criminal Investigative Division, United States Secret Service, Department of Homeland Security; Amy S. Friend, Assistant Chief Counsel, Office of the Comptroller of the Currency, Department of the Treasury.

Hearings recessed subject to the call of the Chair.

2006 BUDGET

Committee on the Budget: Committee ordered favorably reported an original concurrent resolution setting forth the fiscal year 2006 budget for the Federal Government.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the following bills:

S. 148, to establish a United States Boxing Commission to administer the Act;

S. 361, to develop and maintain an integrated system of ocean and coastal observations for the Nation's coasts, oceans and Great Lakes, improve warnings of tsunamis and other natural hazards, enhance homeland security, support maritime operations;

S. 39, to establish a coordinated national ocean exploration program within the National Oceanic and Atmospheric Administration;

S. 362, to establish a program within the National Oceanic and Atmospheric Administration and the United States Coast Guard to help identify, determine sources of, assess, reduce, and prevent marine debris and its adverse impacts on the marine environment and navigation safety, in coordination with non-Federal entities, with an amendment;

S. 50, to authorize and strengthen the National Oceanic and Atmospheric Administration's tsunami detection, forecast, warning, and mitigation program, with an amendment in the nature of a substitute;

S. 268, to provide competitive grants for training court reporters and closed captioners to meet requirements for realtime writers under the Telecommunications Act of 1996, with amendments; and

Nominations in the Coast Guard and National Oceanic and Atmospheric Administration.

Also, Committee adopted its rules of procedures for the 109th Congress.

House of Representatives

Chamber Action

Measures Introduced: 55 public bills, H.R. 1212–1266; 1 private bill, H.R. 1267; and 9 resolutions, H. Con. Res. 91–94, and H. Res. 146–150 were introduced. **Page 4282**

Additional Cosponsors: **Page 4285**

Reports Filed: No reports were filed today.

Journal: Agreed to the Speaker's approval of the Journal by a yea-and-nay vote of 365 yeas to 39 nays, with one voting "present", Roll No. 61. **Page 4177**

Member Sworn—Fifth Congressional District of California: Representative-elect Doris O. Matsui presented herself in the well of the House and was administered the Oath of Office by the Speaker. Earlier the Clerk of the House transmitted a facsimile copy of the semi-final official returns of the Special Election held on March 8, 2005 from the Honorable Cathy Mitchell, Acting Secretary of State, State of California. **Page 4178**

Privileged Report Filing: Agreed that the Committee on Appropriations have until midnight on March 11 to file a report on a bill making supplemental appropriations for the fiscal year ending September 30, 2005. **Page 4179**

Transportation Equity Act: A Legacy for Users: The House passed H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, by a yea-and-nay vote of 417 yeas to 9 nays, Roll No. 65. The measure was also debated on Wednesday, March 9. **Page 4186**

Rejected the Higgins motion to recommit the bill to the Committees on Transportation and Infrastructure and Ways and Means with instructions to report the bill back to the House promptly with amendments, by a recorded vote of 190 ayes to 235 noes, Roll No. 64. **Page 4235**

It was agreed during consideration of the bill that the final period of general debate be in order before the disposition of amendments. **Page 4226**

Accepted:

Young of Alaska manager's amendment (No. 1 printed in H. Rept. 109–15) that makes a number of adjustments and technical changes (it was later agreed by unanimous consent to modify the amendment); **Pages 4187, 4225**

Issa amendment (No. 5 printed in H. Rept. 109–15) that expresses the Sense of Congress that the Department of Transportation and the States should provide additional incentives to encourage the purchase and use of hybrid and other fuel efficient vehicles; **Page 4215**

Burgess amendment (No. 3 printed in H. Rept. 109–15) that changes the current calculation to a pro rata calculation, reflecting a state's level of investment in a toll facility (a requested recorded vote was later vacated and the amendment was agreed to by voice vote); **Pages 4213, 4216**

Pascrell amendment (No. 6 printed in H. Rept. 109–15) that allows states to enact anti-corruption laws curbing the practice of "pay-to-play" contracting without losing their federal-aid highway dollars; **Page 4216**

Rogers (MI) amendment (No. 7 printed in H. Rept. 109–15) that prohibits the sale or use of a traffic signal preemption transmitter by a non-government approved user; **Page 4217**

Honda amendment (No. 9 printed in H. Rept. 109–15) that provides that basic grant funds authorized under the Alcohol-Impaired Driving Countermeasures section can be used for Driving While Intoxicated Courts that seek to change the behavior of alcohol or drug dependent offenders arrested while driving while impaired; and **Page 4219**

Barton amendment (No. 10 printed in H. Rept. 109–15) that provides that assessments of risks to human health or the environment pursuant to research or studies under the surface transportation environment and planning and cooperative research program, and subsequent use of such studies, follow sound and objective scientific practices and describe the weight of the scientific evidence (a requested recorded vote was later vacated and the amendment was agreed to by voice vote). **Pages 4220, 4224**

Tom Davis of Virginia amendment (No. 2 printed in H. Rept. 109–15) that removes the requirement that toll rates on high occupancy toll lanes be differentiated for low income drivers (by a recorded vote of 224 ayes to 201 noes, Roll No. 62); and **Pages 4211, 4233**

Pitts amendment (No. 8 printed in H. Rept. 109–15) that provides small transit systems with additional time to find alternative solutions to address the financial crisis they face when losing flexibility in the use of Section 5307, federal transit funds (by a recorded vote of 228 ayes, to 97 noes, Roll No. 63). **Pages 4218, 4234**

Withdrawn:

Burgess amendment (No. 4 printed in H. Rept. 109–15) that was offered and subsequently withdrawn that would have eliminated some federal restrictions on state procurement procedures for "design-build contracts," in which contractors both design and construct facilities; **Page 4215**

Shadegg amendment (No. 11 printed in H. Rept. 109–15) that was offered and subsequently withdrawn that would have revised the formula by which funds are allocated under the Congestion Mitigation and Air Quality Improvement Program to include areas in non-attainment or maintenance for fine and coarse particulate matter; and **Page 4221**

Flake amendment (No. 12 printed in H. Rept. 109–15) that subtracts the amount that states receive in earmarks from their formula totals in the Surface Transportation Program. **Page 4223**

The Clerk was authorized to make technical corrections and conforming changes, as may be necessary to reflect the actions of the House, in the engrossment of the bill. **Page 4237**

H. Res. 144, the rule providing for further consideration of the bill was agreed to by voice vote. **Page 4182**

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at 12:30 p.m. on Monday, March 14 for Morning Hour debate; and further that when it adjourn on Monday, it adjourn to meet at 9 a.m. on Tuesday, March 15 for Morning Hour debate as though after May 16, 2005, thereafter to resume its session at 10 a.m. **Page 4238**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, March 16. **Page 4238**

Condolences of the House to the families of victims of the terrorist attacks in Madrid on March 11, 2004: The House agreed to H. Res. 99, expressing the condolences of the House of Representatives to the families of the victims of the terrorist attacks in Madrid that occurred one year ago, on March 11, 2004, and expressing deepest sympathy to the individuals injured in those attacks and to the people of the Kingdom of Spain. **Page 4239**

Agreed to the McCotter amendment that replaces the preamble of the resolution. **Page 4239**

Board of Trustees of Gallaudet University—Appointment: The Chair announced the Speaker's appointment of Representative LaHood to the Board of Trustees of Gallaudet University. **Page 4239**

Privileged Report Filing: Agreed that the Committee on the Budget have until 4 p.m. on March 12 to file a report on a bill making supplemental appropriations for the fiscal year ending September 30, 2005. **Page 4239**

Board of Regents of the Smithsonian Institution—Appointment: The Chair announced the Speaker's appointment of the following Members of the House to the Board of Regents of the Smithsonian Institution: Representatives Regula, Sam Johnson (TX), and Becerra. **Page 4265**

Presidential Message: Read a message from the President wherein he notified Congress of the continuation of the national emergency with respect to Iran—referred to the Committee on International Relations and ordered printed (H. Doc. 109–15). **Page 4250**

Quorum Calls—Votes: Two yea-and-nay vote and three recorded votes developed during the proceedings of today and appear on pages 4177 and 4233–37. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 6:48 p.m.

Committee Meetings

METHYL BROMIDE USE EXEMPTION

Committee on Agriculture: Subcommittee on Conservation, Credit, Rural Development and Research held a hearing to access the Methyl Bromide Critical Use Exemption (CUE) process under the Montreal Protocol. Testimony was heard from Claudia McMurray, Deputy Assistant Secretary, Environment, Bureau of Oceans and International Environmental and Scientific Affairs, Department of State; and public witnesses.

AGRICULTURE, RURAL DEVELOPMENT, FDA, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on the Under Secretary for Food, Nutrition, and Consumer Services. Testimony was heard from Eric Bost, Under Secretary, Food, Nutrition and Consumer Services, USDA.

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense held a hearing on Navy/Marine Corps Posture. Testimony was heard from the following officials of the Department of the Navy: Gordon R. England, Secretary; ADM. Vernon Clark, USN. Chief of Naval Operations; and Gen. Michael W. Hagee, USMC, Commandant of the Marine Corps.

The Subcommittee also met in executive session to hold a hearing on Navy/Marine Corps Acquisition. Testimony was heard from the following officials of the Department of the Navy: John J. Young, Assistant Secretary; and VADM Joseph A. Sestak, Jr., USN, Deputy Chief, Naval Operations, Warfare Requirements and Programs (N6/N7); and BG William Catto, USMC, Commanding General, Marine Corps Systems Command.

LABOR, HHS, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on the Department of Labor, Health and Human Services, Education, and Related Agencies held a hearing on the Secretary of Education. Testimony was heard from Margaret Spellings, Secretary of Education.

ENERGY AND WATER DEVELOPMENT, AND RELATED AGENCY APPROPRIATIONS

Committee on Appropriations: Subcommittee on Energy and Water Development, and Related Agencies met in executive session to hold a hearing on Department of Energy–National Nuclear Security Administration. Testimony was heard from Linton F. Brooks, Under Secretary, Nuclear Security and Administrator, National Nuclear Security Administrator, Department of Energy.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS

Committee on Appropriations: Subcommittee on The Department of Homeland Security held a hearing on the U.S. Coast Guard. Testimony was heard from ADM Thomas Collin, USCG, Commandant, U.S. Coast Guard, Department of Homeland Security.

The Subcommittee also held a hearing on Immigration and Customs Enforcement. Testimony was heard from Michael Garcia, Secretary, Immigration and Customs Enforcement, Department of Homeland Security.

INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held a hearing on the National Endowment for the Arts. Testimony was heard from Dana Gioia, Chairman, National Endowment for the Arts.

The Subcommittee also held a hearing on the National Endowment for the Humanities. Testimony was heard from Bruce Cole, Chairman, National Endowment for the Humanities.

MILITARY QUALITY OF LIFE, AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Quality of Life, and Veterans Affairs, and Related Agencies held a hearing on the European Command Gen. James L. Jones, Jr., USMC, Supreme Allied Commander, Europe and Commander, U.S. European Command, Department of Defense.

The Subcommittee also held a hearing on the Pacific Command. Testimony was heard from the following officials of the Department of the Navy: ADM William J. Fallon, USN, Commander, U.S. Pacific Command; and Gen. Leon J. LaPorte, Commander, Republic of Korea-United States Combined Forces Command, and Commander, U.S. Forces Korea.

DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Science, The Departments of State, Justice, and Commerce, and Related Agencies held a hearing on NOAA. Testimony was heard from VADM. Conrad C. Lautenbacher, Jr., USN (Ret.), Under Secretary, NOAA, Department of Commerce.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST FISCAL YEAR 2006

Committee on Armed Services: Continued hearings on the Fiscal Year 2006 National Defense Authorization budget request. Testimony was heard from the following officials of the Department of Defense: Donald R. Rumsfeld, Secretary; and GEN Richard B. Myers, USAF, Chairman, Joint Chiefs of Staff.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST FISCAL YEAR 2006

Committee on Armed Services: Subcommittee on Projection Forces held a hearing on the Fiscal Year 2006 National Defense Authorization budget request—The Navy's Future Fleet: Assessing the Strength of Today's Navy for Tomorrow. Testimony was heard from the following officials of the Department of the Navy: John J. Young, Jr., Assistant Secretary, Research, Development and Acquisition; VADM Joseph A. Sestak, Jr., USN, Deputy Chief of Naval Operations, Warfare Requirements and Programs; VADM Lewis W. Crenshaw, Jr., USN, Deputy Chief of Naval Operations, Resources, Requirements and Assessments; LTG Robert Magnus, USMC, Deputy Commandant, Programs and Resources, U.S. Marine Corps; and LTG James N. Mattis, USMC, Commanding General, Marine Corps Combat Development Command; and Ronald O'Rourke, Specialist in National Defense, CRS, Library of Congress.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST FISCAL YEAR 2006

Committee on Armed Services: Subcommittee on Terrorism, Unconventional Threats and Capabilities held a hearing on the Fiscal Year 2006 National Defense Authorization budget request—Defense Science and Technology in support of the War on Terrorism, and Beyond. Testimony was heard from the following officials of the Department of Defense: Ronald M. Sega, Director, Defense Research and Engineering; James A. Tegnelia, Director, Defense Threat Reduction Agency; Anthony J. Tether, Director, Defense Advanced Research Projects Agency; Thomas H. Killion, Assistant Secretary of the Army, Research and Technology; RADM Jay M. Cohen, USN, Chief of Naval Research; and James B. Engle, Deputy Assistant Secretary of the Air Force, Science, Technology and Engineering.

RECREATIONAL MARINE EMPLOYMENT ACT OF 2005

Committee on Education and the Workforce: Subcommittee on Workforce Protections approved for full Committee action H.R. 940, Recreational Marine Employment Act of 2005.

STEROIDS IN SPORTS

Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protection and the Subcommittee on Health held a joint hearing entitled "Steroids in Sports: Cheating the System and Gambling Your Health." Testimony was heard from Representative Ryun (KS); and public witnesses.

YUCCA MOUNTAIN REPOSITORY

Committee on Energy and Commerce: Subcommittee on Energy and Air Quality held a hearing entitled "Funding

Options for the Yucca Mountain Repository Program." Testimony was heard from Representatives Berkley and Porter; Theodore J. Garrish, Deputy Director, Office of Strategy and Program Development, Office of Civilian Radioactive Waste Management, Department of Energy; and a public witness.

DIGITAL TV TRANSITION

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held a hearing entitled "Preparing Consumers for the End of the Digital Television Transition." Testimony was heard from public witnesses.

OVERSIGHT—RURAL HOUSING SERVICE

Committee on Financial Services: Subcommittee on Housing and Community Opportunity held an oversight hearing of the Rural Housing Service, including the Service's budget request for fiscal year 2006." Testimony was heard from Russell T. Davis, Administrator, Rural Housing Service, USDA; and William B. Shear, Director, GAO.

FANNIE MAE MORTGAGE REPURCHASES

Committee on Financial Services: Subcommittee on Oversight and Investigations held a hearing entitled "Due Diligence in Mortgage Repurchases and Fannie: The First Beneficial Case." Testimony was heard from the following officials of the Department of Housing and Urban Development: Kenneth M. Donohue, Sr., Inspector General; John P. Kennedy, Associate General Counsel, Office of Finance and Regulatory Compliance; and Alfred M. Pollard, General Counsel, Office of Federal Housing Enterprise; and a public witness.

MISCELLANEOUS MEASURES

Committee on Government Reform: Ordered reported the following measures: H.R. 185, Program Assessment and Results Act; and S. 384, To extend the existence of the Nazi War Crimes and Japanese Imperial Government Records Interagency Working Group for 2 years.

DRUG CONTROL BUDGET

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing entitled "FY 2006 Drug Control Budget and the Byrne Grant, HIDTA, and Other Law Enforcement Programs: Are We Jeopardizing Federal, State and Local Cooperation?" Testimony was heard from the following officials of the Department of Justice: Tracy A. Henke, Associate Deputy Attorney General, Office of Justice Programs; and Catherine M. O'Neil, Associate Deputy Attorney General and Director of Organized Crime Drug Enforcement Task Forces; John Horton, Associate Deputy Director, State and Local Affairs, Office of National Drug Control Policy; and public witnesses.

COMMITTEE FUNDING

Committee on House Administration: Met to consider funding requests for the following Committees: International Relations; Judiciary; Budget; Financial Services; Small Business; Rules; Agriculture; and Armed Services.

KOREAN PENINSULA: SIX PARTY TALKS AND THE NUCLEAR ISSUE

Committee on International Relations: Held a hearing on The Korean Peninsula: Six Party Talks and the Nuclear Issue. Testimony was heard from the following former officials of the Department of State: William J. Perry, Secretary of Defense; and James R. Lilley, Ambassador to the Republic of Korea.

TRAFFICKING VICTIMS PROTECTION REAUTHORIZATION ACT OF 2005

Committee on International Relations: Subcommittee on Africa, Global Human Rights and International Operations approved for full Committee action, as amended, the following measures: H.R. 972, Trafficking Victims Protection Reauthorization Act of 2005; and H. Con. Res. 88, Remembering the victims of the genocide that occurred in 1994 in Rwanda and pledging to work to ensure that such an atrocity does not take place again.

INDONESIA IN TRANSITION

Committee on International Relations: Subcommittee on Asia and the Pacific held a hearing on Indonesia in Transition: Recent Developments and Implications for U.S. Policy. Testimony was heard from Marie Huhtala, Deputy Assistant Secretary, Bureau of East Asian and Pacific Affairs, Department of State; and public witnesses.

ELIMINATING TERRORIST SANCTUARIES

Committee on International Relations: Subcommittee on International Terrorism and Nonproliferation held a hearing on Eliminating Terrorist Sanctuaries: The Role of Security Assistance. Testimony was heard from William P. Pope, Acting Coordinator, Office of the Coordinator for Counterterrorism, Department of State; and RADM Hamlin B. Tallent, USN, Director of Operations, U.S. European Command, Department of Defense.

OVERSIGHT—DEPARTMENT OF JUSTICE—CIVIL RIGHTS DIVISION

Committee on the Judiciary: Subcommittee on the Constitution held an oversight hearing on the U.S. Department of Justice, Civil Rights Division: A Review of the Civil Rights Division for the Purpose of the Reauthorization of the U.S. Department of Justice. Testimony was heard from Alexander Acosta, Assistant Attorney General, Civil Rights Division, Department of Justice.

OVERSIGHT—INTERIOR IMMIGRATION ENFORCEMENT

Committee on the Judiciary: Subcommittee on Immigration, Border Security, and Claims held an oversight hearing entitled "Interior Immigration Enforcement Resources." Testimony was heard from Paul Martin, Deputy Inspector General, Department of Justice; and public witnesses.

OVERSIGHT—INTERIOR BUDGET FY 2006—ENERGY AND MINERAL PROGRAMS

Committee on Resources: Subcommittee on Energy and Mineral Resources held an oversight hearing entitled "The Interior Budget for FY 2006 in Energy and Mineral Programs." Testimony was heard from the following officials of the Department of the Interior: Johnnie Burton, Director, Minerals Management Service; Jeff Jarret, Director, Office of Surface Mining Reclamation and Enforcement; Charles G. Groat, Director, U.S. Geological Survey; and Jim Hughes, Deputy Director, Bureau of Land Management.

OVERSIGHT—FISH AND WILDLIFE SERVICE AND NOAA BUDGET REQUEST FY 2006

Committee on Resources: Subcommittee on Fisheries and Oceans held an oversight hearing on the Fiscal Year 2006 Budget Request of the U.S. Fish and Wildlife Service; and NOAA. Testimony was heard from VADM Conrad C. Lautenbacher, Jr. (Ret.), Under Secretary, Oceans and Atmosphere, NOAA, Department of Commerce; and Steven A. Williams, Director, U.S. Fish and Wildlife Service, Department of the Interior.

OVERSIGHT—AGENCY BUDGET BUDGETS AND PRIORITIES

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment held an oversight hearing on Agency Budgets and Priorities for Fiscal Year 2006, with emphasis on U.S. Army Corps of Engineers, the TVA, Natural Resources Conservation Service and Saint Lawrence Seaway Development Corporation. Testimony was heard from from the following officials of the Department of the Army: John Paul Woodley, Jr., Principal Deputy Assistant Secretary (Civil Works); and LTG Carl A. Strock, USA, Chief of Engineers, U.S. Army Corps of Engineers; Glenn L. McCullough, Jr., Chairman, TVA; Albert S. Jacquez, Administrator, Saint Lawrence Seaway Development Corporation, Department of Transportation; and a public witness.

BUDGET BRIEFING AND HEARING

Permanent Select Committee on Intelligence: Met in executive session to continue hearings on the Budget. Testimony was heard from departmental witnesses.

Prior to the hearing, the Committee met in executive session to receive a briefing on the Budget. The Committee was briefed by departmental witnesses.

Joint Meetings

MIDDLE EAST DEMOCRACY

Commission on Security and Cooperation in Europe (Helsinki Commission): On Wednesday, March 9, 2005, Commission concluded a hearing to examine the Russian-Syrian connection and threats to democracy in the Middle East and the great OSCE region, after receiving testimony from Senator Sam Brownback; Representatives Christopher H. Smith and Benjamin L. Cardin; Walid Phares, Florida Atlantic University, Boca Raton, on behalf of the Foundation for the Defense of Democracies; Farid N. Ghadry, Reform Party of Syria, Ilan Berman, American Foreign Policy Council, and Steven Emerson, The Investigative Project, all of Washington, D.C.; and Entifadh K. Qanbar, United Iraqi Alliance, Baghdad, Iraq.

LEGISLATIVE PRESENTATIONS

Joint Hearing: Senate Committee on Veterans' Affairs concluded joint hearings with the House Committee on Veterans' Affairs to examine legislative presentations of certain veterans organizations, after receiving testimony from Robert N. Lichtenberger, Military Order of the Purple Heart, Springfield, Virginia; Randy L. Pleva, Sr., Paralyzed Veterans of America, Louis Abramson, Jewish War Veterans, and Neil Appleby, Blinded Veterans Association, all of Washington, D.C.; and H. Gene Overstreet, Non-Commissioned Officers Association, San Antonio, Texas.

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Friday, March 11, 2005

Senate

Chamber Action

Routine Proceedings, pages 4423–4505

Measures Introduced: Eight bills and two resolutions were introduced, as follows: S. 603–610, S. Con. Res. 18–19. **Page 4433**

Measures Reported:

S. 263, to provide for the protection of paleontological resources on Federal lands, with amendments. (S. Rept. No. 109–36)

S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010. **Page 4433**

Measures Passed:

Honoring Enrique Camarena: Committee on the Judiciary was discharged from further consideration of S. Res. 73, honoring the life of Enrique "Kiki" Camarena, and the resolution was then agreed to. **Page 4504**

Additional Cosponsors: Page 4434

Statements on Introduced Bills/Resolutions: Page 4434

Additional Statements: Page 4432

Authority for Committees to Meet: Page 4448

Adjournment: Senate convened at 9:30 a.m., and adjourned at 12:07 p.m., until 10 a.m., on Monday, March 14, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 4505.)

Committee Meetings

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of R. Nicholas Burns, of Massachusetts, to be an Under Secretary of State (Political Affairs), C. David Welch, of Virginia, a Career Member of the Senior Foreign Service, Class of Career Minister, to be an Assistant Secretary of State (Near Eastern Affairs), and John B. Bellinger, of Virginia, to be Legal Adviser of the Department of State, who were introduced by Senator Warner, after the nominees testified and answered questions in their own behalf.

House of Representatives

Chamber Action

The House was not in session today. The House will meet at 12:30 p.m. on Monday, March 14 for Morning Hour debate.

Committee Meetings

SCIENCE, THE DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Science, The Departments of State, Justice, and Commerce, and Related Agencies held a hearing on the NSF; the National Science Board; and the Office of Science and Technology Policy. Testimony was heard from John H. Marburger III, Director, Office of Science and Technology Policy; and the following officials of the NSF: Arden L. Bement, Jr., Director; and Ray M. Bowen, member, National Science Board.

The Subcommittee also held a hearing on the SEC. Testimony was heard from William H. Donaldson, Chairman, SEC.

D.C. DRINKING WATER SAFETY

Committee on Government Reform: Held a hearing entitled "Getting the Lead Out: The Ongoing Quest for Safe Drinking Water in the Nation's Capital." Testimony was heard from the following officials of the EPA: Benjamin H. Grumbles, Acting Assistant Administrator, Office of Water; and Donald S. Welsh, Regional Administrator, Region III; Thomas P. Jacobus, General Manager, Washington Aqueduct, U.S. Army Corps of Engineers, Department of the Army; Jerry Johnson, General Manager, Water and Sewer Authority, District of Columbia; and a public witness.

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Monday, March 14, 2005

Senate

Chamber Action

Routine Proceedings, pages 4557–4632

Measures Introduced: Ten bills were introduced, as follows: S. 611–620. Page 4616

Measures Reported:

S. 97, to provide for the sale of bentonite in Big Horn County, Wyoming. (S. Rept. No. 109–37)

S. 252, to direct the Secretary of the Interior to convey certain land in Washoe County, Nevada, to the Board of Regents of the University and Community College System of Nevada. (S. Rept. No. 109–38)

S. 253, to direct the Secretary of the Interior to convey certain land to the land to the Edward H. McDaniel American Legion Post No. 22 in Pahrump, Nevada, for the construction of a post building and memorial park for use by the American Legion, other veterans' groups, and the local community, with amendments. (S. Rept. No. 109–39) Page 4616

Concurrent Budget Resolution: Senate began consideration of S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010, taking action on the following amendments proposed thereto: Page 4557

Adopted:

Gregg Amendment No. 142, of a technical nature. Page 4581

Rejected:

By 44 yeas to 49 nays (Vote No. 45), Bingaman Amendment No. 143, to restore funding for education programs that are cut and reduce debt by close corporate tax loopholes. Page 4585

A unanimous-consent agreement was reached providing further consideration of the resolution at 9:30 a.m., on Tuesday, March 15, 2005 and that there be 16 hours and 8 minutes remaining for each side. Page 4629

Appointments:

John C. Stennis Center for Public Service Training and Development: The Chair, on behalf of the Majority Leader, pursuant to Public Law 100–458, Section 114(b)(2)(c), appointed Marsha Blackburn of Tennessee, to the Board of Trustees of the John C. Stennis Center for Public Service Training and Development, for a six-year term. **Page 4629**

Nominations Received: Senate received the following nominations:

Charles F. Conner, of Indiana, to be Deputy Secretary of Agriculture.

Michael D. Griffin, of Virginia, to be Administrator of the National Aeronautics and Space Administration.

Robert Joseph, of Virginia, to be Under Secretary of State for Arms Control and International Security.

Kim Wang, of California, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2009.

Paul D. Clement, of Virginia, to be Solicitor General of the United States.

The following named officer for appointment to the grade indicated in the United States Marine Corps under title 10, U.S.C., section 624:

1 Air Force nomination in the rank of general.

Routine lists in the Air Force, Army, Coast Guard, Marine Corps. **Page 4629**

Executive Communications: **Page 4616**

Additional Cosponsors: **Page 4617**

Statements on Introduced Bills/Resolutions: **Page 4618**

Additional Statements: **Page 4615**

Amendments Submitted: **Page 4628**

Authority for Committees to Meet: **Page 4628**

Privilege of the Floor: **Page 4629**

Record Votes: One record vote was taken today. (Total—45) **Page 4599**

Adjournment: Senate convened at 10 a.m., and adjourned at 9 p.m., until 9:30 a.m., on Tuesday, March 15, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 4629.)

Committee Meetings

TERRORIST TRAVEL

Committee on the Judiciary: Subcommittee on Immigration, Border Security and Citizenship with the Subcommittee on Terrorism, Technology and Homeland Security concluded a hearing to examine strengthening enforcement and border security, focusing on the 9/11 Commission staff report on terrorist travel, after receiving testimony from Elaine Dezenski, Acting Assistant Secretary for Border and Transportation Security for Policy and Planning, and Thomas J. Walters, Assistant Commissioner, Office of Training and Development, Customs and Border Protection, both of the Department of Homeland Security; Doris Meissner, Migration Policy Institute, Washington, D.C.; and Janice L. Kephart, The Investigative Project on Terrorism, Mount Vernon, Virginia.

House of Representatives

Chamber Action

Measures Introduced: 32 public bills, H.R. 1269–1290; and 1 resolution, H. Res. 152, were introduced. **Page 4551**

Additional Cosponsors: **Page 4552**

Reports Filed: Reports were filed today as follows:

Filed on Friday, March 11: H.R. 1268, making emergency supplemental appropriations for the fiscal year ending September 30, 2005 (H. Rept. 109–16);

Filed on March 11: H. Con. Res. 95, establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010 (H. Rept. 109–17); and

H. Res. 151, providing for the consideration of H.R. 1268, Making emergency supplemental appropriations for the fiscal year ending September 30, 2005 (H. Rept. 109–18). **Page 4551**

Speaker: Read a letter from the Speaker wherein he appointed Representative Pearce to act as Speaker pro tempore for today. **Page 4506**

Recess: The House recessed at 12:32 p.m. and reconvened at 2 p.m. **Page 4506**

Committee on Ways and Means Recommendations: Read a letter from Chairman Thomas of the Committee on Ways and Means wherein he forwarded the Committee's recommendations for certain positions for the 109th Congress. **Page 4507**

Congressional Advisors on Trade Policy and Negotiations: The Chair announced the Speaker's appointment of the following members of the House as Congressional Advisors on Trade Policy and Negotiations: Representatives Thomas, Shaw, Herger, Rangel, and Cardin. **Page 4507**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Allowing for an adjustment in the number of free roaming horses in Cape Lookout National Seashore: H.R. 126, to amend Public Law 89–366 to allow for an adjustment in the number of free roaming horses permitted in Cape Lookout National Seashore; **Page 4507**

Llagas Reclamation Groundwater Remediation Initiative: H.R. 186, amended, to authorize the Secretary of the Interior, acting through the Bureau of Reclamation and in coordination with other Federal, State, and local government agencies, to participate in the funding and implementation of a balanced, long-term groundwater remediation program in California; **Page 4508**

Department of the Interior Volunteer Recruitment Act: H.R. 584, to authorize the Secretary of the Interior to recruit volunteers to assist with, or facilitate, the activities of various agencies and offices of the Department of the Interior; **Page 4509**

Directing the Secretary of the Interior to convey certain lands to the City of Richfield, Utah: H.R. 680, to direct the Secretary of Interior to convey certain land held in trust for the Paiute Indian Tribe of Utah to the City of Richfield, Utah; **Page 4510**

Nevada National Forest Land Disposal Act of 2005: H.R. 816, to direct the Secretary of Agriculture to sell certain parcels of National Forest System land in Carson City and Douglas County, Nevada; **Page 4511**

Creating the Office of the Chief Financial Officer of the Government of the Virgin Islands: H.R. 62, to create the Office of Chief Financial Officer of the Government of the Virgin Islands; **Page 4512**

Western Reserve Heritage Areas Study Act: H.R. 412, to authorize the Secretary of the Interior to conduct a study to determine the suitability and feasibility of establishing the Western Reserve Heritage Area; **Page 4514**

Gullah/Geechee Cultural Heritage Act: H.R. 694, amended, to enhance the preservation and interpretation of the Gullah/Geechee cultural heritage; **Page 4516**

Providing for a land exchange involving private land and Bureau of Land Management land in the vicinity of Holloman Air Force Base, New Mexico: H.R. 486, to provide for a land exchange involving private land and Bureau of Land Management land in the vicinity of Holloman Air Force Base, New Mexico, for the purpose of removing private land from the required safety zone surrounding munitions storage bunkers at Holloman Air Force Base; **Page 4519**

Reauthorizing the TANF block grant program through June 30, 2005: H.R. 1160, to reauthorize the Temporary Assistance for Needy Families block grant program through June 30, 2005; **Page 4520**

Amending the Internal Revenue Code of 1986 to provide for the proper tax treatment of certain disaster mitigation payments: H.R. 1134, to amend the Internal Revenue Code of 1986 to provide for the proper tax treatment of certain disaster mitigation payments; **Page 4522**

Providing for the establishment of a commission in the House to assist parliaments in emerging democracies: H. Res. 135, providing for the establishment of a commission in the House of Representatives to assist parliaments in emerging democracies, by a 2⁄3 yea-and-nay vote of 386 yeas to 2 nays, Roll No. 66; **Pages 4527, 4538**

Urging the European Union to add Hezbollah to the EU's list of terrorist organizations: H. Res. 101, amended, urging the European Union to add Hezbollah to the European Union's wide-ranging list of terrorist organizations, by a 2⁄3 yea-and-nay vote of 380 yeas to 3 nays and 5 voting "present", Roll No. 67; and **Pages 4532, 4539**

Extending the Nazi War Crimes and Japanese Imperial Government Records Interagency Working Group for 2 years: S. 384, to extend the Nazi War Crimes and Japanese Imperial Government Records Interagency Working Group for 2 years, by a 2⁄3 yea-and-nay vote of 391 yeas with none voting "nay", Roll No. 68—clearing the measure for the President. **Pages 4536, 4540**

Oversight Plan Report: Agreed that the Committee on Government Reform have until midnight on Thursday, March 31 to file a report on Oversight Plans under Clause 2 of Rule Ten. **Page 4538**

Recess: The House recessed at 4:42 p.m. and reconvened at 6:30 p.m. **Page 4538**

Senate Message: Messages received from the Senate today appear on pages 4506 and 4550.

Senate Referral: S. 250 was held at the desk; and S. 256 was held at the desk.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages 4539–40. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 8:50 p.m.

Committee Meetings

BUILDING IRAQI SECURITY FORCES

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations held a hearing entitled "Building Iraqi Security Forces." Testimony was heard from Joseph Christoff, Director, International Affairs and Trade, GAO; the following officials of the Department of Defense: Peter W. Rodman, Assistant Secretary, International Security Affairs; and RADM William D. Sullivan, USN, Vice-Director, Strategic Plans and Policy; and Richard A. Jones, Senior Advisor to the Secretary and Coordinator of Iraq, Department of State; and public witnesses.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND TSUNAMI RELIEF, 2005

Committee on Rules: Granted, by voice vote, an open rule providing one hour of general debate on H.R. 1268, Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The bill shall be considered for amendment under the five-minute rule. The rule waives all point of order against consideration of the bill. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill), except for Section 1113 and 1114. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. The rule provides one motion to recommit with or without instructions. Finally, the rule provides that upon the engrossment of H.R. 1268, the Clerk shall add the text of H.R. 418 as passed by the House as new matter at the end of H.R. 1268, and conform the title of H.R. 1268 to reflect the addition. Testimony was heard from Chairman Lewis of California and Representatives Obey, Stupak, Hooley of Oregon, Reyes and Tierney.

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Tuesday, March 15, 2005

Senate

Chamber Action

Routine Proceedings, pages 4736–4836

Measures Introduced: Eleven bills and four resolutions were introduced, as follows: S. 621–631, S.J. Res. 7–9, and S. Res. 82. **Page 4812**

Measures Passed:

Welfare Reform Extension Act: Senate passed H.R. 1160, to reauthorize the Temporary Assistance for Needy Families block grant program through June 30, 2005, clearing the measure for the President. **Page 4833**

Concurrent Budget Resolution: Senate continued consideration of S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010, taking action on the following amendments proposed thereto: **Page 4736**

Adopted:

By a unanimous vote of 100 yeas (Vote No. 46), Graham Modified Amendment No. 152, to express the sense of the Senate regarding the urgent need for legislation to ensure the long-term viability of the Social Security program. **Page 4762**

By 56 yeas to 43 nays (Vote No. 48), DeMint Amendment No. 150, to express the sense of the Senate that failing to address the financial condition of Social Security will result in massive debt, deep benefit cuts and tax increases. **Pages 4761, 4768**

Rejected:

By 45 yeas to 55 nays (Vote No. 47), Conrad Amendment No. 144, to ensure that 75-year solvency has been restored to Social Security before Congress considers new deficit-financed legislation that would increase mandatory spending or cut taxes. **Pages 4743, 4756, 4768**

By 50 yeas to 50 nays (Vote No. 49), Nelson Amendment No. 145, to express the sense of the Senate that Congress should reject any Social Security plan that requires deep benefit cuts or a massive increase in debt. **Pages 4751, 4769**

By 46 yeas to 54 nays (Vote No. 50), Stabenow Amendment No. 147, to protect the American people from terrorist attacks by providing the necessary resources to our firefighters, police, EMS workers and other first-responders by restoring $1.626 billion in cuts to first-responder programs. **Pages 4754, 4769**

Pending:

Byrd Amendment No. 158, to provide adequate funding of $1.4 billion in fiscal year 2006 to preserve a national intercity passenger rail system. **Page 4770**

Cantwell Amendment No. 168, to strike section 201(a)(4) relative to the Arctic National Wildlife Refuge. **Page 4793**

Akaka Amendment No. 149, to increase veterans medical care by $2.8 billion in 2006. **Page 4797**

Ensign Amendment No. 171, to increase veterans medical care by $410,000,000 in fiscal year 2006. **Page 4801**

A unanimous-consent agreement was reached providing for further consideration of the resolution at 9 a.m., on Wednesday, March 16, 2005, and that Senator Feinstein be recognized for up to 20 minutes; that Senator Specter be recognized to offer an amendment relative to the National Institutes of Health (NIH), on which there will be 45 minutes for debate equally divided; that following that debate, the Senate begin 90 minutes of debate equally divided in relation to the Cantwell Amendment No. 168 (listed above); that there then be 45 minutes equally divided for debate relative to Ensign Amendment No. 171 (listed above) and Akaka Amendment No. 149 (listed above); and that at 1 p.m., the Senate vote on, or in relation to, certain amendments. **Page 4833**

Appointments:

President's Export Council: The Chair, pursuant to Executive order 12131, as amended, appointed the following Members to the President's Export Council: Senators Baucus and Dorgan. **Page 4833**

National Council on the Arts: The Chair, on behalf of the Democratic Leader, pursuant to Public Law 105–63, announced the appointment of the following individual to serve as members of the National Council on the Arts: Senator Leahy, vice Senator Reid. **Page 4833**

Nominations Received: Senate received the following nominations:

James H. Bilbray, of Nevada, to be a Member of the Defense Base Closure and Realignment Commission.

Philip Coyle, of California, to be a Member of the Defense Base Closure and Realignment Commission.

Admiral Harold W. Gehman, Jr., United States Navy, Retired, of Virginia, to be a Member of the Defense Base Closure and Realignment Commission.

James V. Hansen, of Utah, to be a Member of the Defense Base Closure and Realignment Commission.

General James T. Hill, United States Army, Retired, of Florida, to be a Member of the Defense Base Closure and Realignment Commission. (Position)

Claude M. Kicklighter, of Georgia, to be a Member of the Defense Base Closure and Realignment Commission.

Samuel Knox Skinner, of Illinois, to be a Member of the Defense Base Closure and Realignment Commission.

Brigadier General Sue Ellen Turner, United States Air Force, Retired, of Texas, to be a Member of the Defense Base Closure and Realignment Commission. **Page 4836**

Messages From the House: **Page 4810**

Measures Referred: **Page 4811**

Executive Communications: **Page 4811**

Executive Reports of Committees: **Page 4811**

Additional Cosponsors: **Page 4812**

Statements on Introduced Bills/Resolutions: **Page 4813**

Additional Statements: **Page 4808**

Amendments Submitted: **Page 4824**

Authority for Committees to Meet: **Page 4832**

Privilege of the Floor: **Page 4833**

Record Votes: Five record votes were taken today. (Total—50) **Pages 4768–70**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 10:06 p.m., until 9 a.m., on Wednesday, March 16, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 4833.)

Committee Meetings

SCHOOL NUTRITION PROGRAMS

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine school nutrition programs, focusing on the elimination of reduced price meals, the Summer Food Service Program, and nutrition education and promotion, after receiving testimony from Senator Dole; Dora Rivas, Dallas Independent School District, Dallas, Texas; Annette Bomar Hopgood, Georgia Department of Education, Atlanta; Karen Johnson, Child Nutrition Programs, Yuma, Arizona, on behalf of the School Nutrition Association; and Ruth Jonen, Hoffman Estates, Palatine, Illinois.

APPROPRIATIONS: DEPARTMENT OF VETERANS AFFAIRS

Committee on Appropriations: Subcommittee on Military Construction and Veterans' Affairs concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the Department of Veterans Affairs, after receiving testimony from R. James Nicholson, Secretary, Jonathan B. Perlin, Acting Under Secretary for Health, Veterans' Health Administration, Vice Admiral Daniel L. Cooper USN (Ret.), Under Secretary for Benefits, Veterans Benefits Administration, Richard A. Wannemacher, Acting Under Secretary for Memorial Affairs, National Cemetery Administration, Tim McClain, General Counsel, and Rita A. Reed, Deputy Assistant Secretary for Budget, all of the Department of Veterans Affairs.

APPROPRIATIONS: DEPARTMENT OF LABOR

Committee on Appropriations: Subcommittee on Labor, Health, and Human Services, Education, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the Department of Labor, after receiving testimony from Elaine L. Chao, Secretary of Labor.

APPROPRIATIONS: DEPARTMENT OF TRANSPORTATION

Committee on Appropriations: Subcommittee on Transportation, Treasury, Judiciary and Housing and Urban Development concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the Department of Transportation, after receiving testimony from Norman Y. Mineta, Secretary of Transportation.

APPROPRIATIONS: DEPARTMENT OF ENERGY

Committee on Appropriations: Subcommittee on Energy and Water concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the Office of Energy Efficiency and Renewable Energy, the Office of Science, and the Office of Nuclear Energy, Science and Technology in the Department of Energy, after receiving testimony from David Garman, Assistant Secretary, Office of Energy Efficiency and Renewable Energy, Raymond L. Orbach, Director, Office of Science, and William D. Magwood, IV, Director, Office of Nuclear Energy, Science and Technology, all of Department of Energy.

DEFENSE AUTHORIZATION: MILITARY STRATEGY

Committee on Armed Services: Committee concluded a hearing to examine military strategy and operational requirements from combatant commanders in review of the Defense Authorization Request for fiscal year 2006, after receiving testimony from General Bantz J. Craddock, USA, Commander, U.S. Southern Command; and Admiral Timothy J. Keating, USN, Commander, U.S. Northern Command.

NOMINATION

Committee on Armed Services: Committee concluded a hearing to examine the nomination of Anthony Joseph Principi, of California, to be a Member of the Defense Base Closure and Realignment Commission, after the nominee testified and answered questions in his own behalf.

HERITAGE AREA BILLS

Committee on Energy and Natural Resources: Subcommittee on Nationals Parks concluded a hearing to examine S. 175, to establish the Bleeding Kansas and Enduring Struggle for Freedom National Heritage Area, S. 322, to establish the Champlain Valley National Heritage Partnership in the States of Vermont and New York, S. 323, to authorize the Secretary of the Interior to study the suitability and feasibility of designating the French Colonial Heritage Area in the State of Missouri as a unit of the National Park System, and S. 429, to establish the Upper Housatonic Valley National Heritage Area in the State of Connecticut and the Commonwealth of Massachusetts, after receiving testimony from Janet Snyder Matthews, Associate Director, Cultural Resources, National Park Service, Department of the Interior; James Baker, Missouri Department of Natural Resources, St. Genevieve; Judy Billings, Kansas Chamber of Commerce, Convention and Visitors Bureau, Lawrence; Ronald D. Jones, Upper Housatonic Valley National Heritage Area, Inc., Salisbury, Connecticut; Ann Cousins, Preservation Trust of Vermont, Burlington; John W. Cosgrove, Alliance of National Heritage Areas, Scranton, Pennsylvania; and J. Peyton Knight, American Policy Center, and American Land Rights Association, Warrenton, Virginia.

NOMINATION

Committee on Foreign Relations: Committee concluded a hearing to examine the nomination of Howard J. Krongard, of New Jersey, to be Inspector General, Department of State, after the nominee answered questions in his own behalf.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Joseph R. DeTrani, of Virginia, for the rank of Ambassador during his tenure of service as Special Envoy for the Six Party Talks, John Thomas Schieffer, of Texas, to be Ambassador to Japan, who was introduced by Senator Hutchison, and Christopher R. Hill, of Rhode Island, to be an Assistant Secretary of State for East Asian and Pacific Affairs, after each nominee testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the nominations of Howard J. Krongard, of New Jersey, to be Inspector General, Department of State, Joseph R. DeTrani, of Virginia, for the rank of Ambassador during his tenure of service as Special Envoy for the Six Party Talks, John Thomas Schieffer, of Texas, to be Ambassador to Japan, Christopher R. Hill, of Rhode Island, to be an Assistant Secretary of State for East Asian and Pacific Affairs, R. Nicholas Burns, of Massachusetts, to be an Under Secretary of State for Political Affairs, C. David Welch, of Virginia, to be an Assistant Secretary of State for Near Eastern Affairs, John B. Bellinger, of Virginia, to be Legal Adviser of the Department of State, David B. Balton, of the District of Columbia, for the rank of Ambassador during his tenure of service as Deputy Assistant Secretary of State for Oceans and Fisheries, Rudolph E. Boschwitz, of Minnesota, for the rank of Ambassador during his tenure of service as Representative of the United States of America on the Human Rights Commission of the Economic and Social Council of the United Nations, and promotion lists in the Foreign Service.

NATIONAL SECURITY PERSONNEL SYSTEM

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce and the District of Columbia concluded an oversight hearing to examine ensuring the success of the National Security Personnel System, focusing on the proposed regulations jointly published by the Department of Defense and Office of Personnel Management for the National Security Personnel System regarding management of the department and for civil service reform across the Federal government, after receiving testimony from David M. Walker, Comptroller General, Government Accountability Office; Charles S. Abell, Principal Deputy Under Secretary of Defense for Personnel and Readiness; George Nesterczuk, Senior Advisor to the Director on Department of Defense, Office of Personnel Management; Richard Oppedisano, Federal Managers Association, Alexandria, Virginia; and John Gage, American Federation of Government Employees, AFL–CIO, Washington, D.C., and Gregory J. Junemann, International Federation of Professional and Technical Engineers, AFL–CIO and CLC, Silver Spring, Maryland, both on behalf of the United DOD Workers' Coalition.

OPEN GOVERNMENT ACT

Committee on the Judiciary: Subcommittee on Terrorism, Technology and Homeland Security concluded a hearing to examine S. 394, to promote accessibility, accountability, and openness in Government by strengthening section 552 of title 5, United States Code (the OPEN Government Act), and S. 589, to establish the Commission on Freedom of Information Act Processing Delays, after receiving testimony from Katherine M. "Missy" Cary, Office of the Texas Attorney General, Austin; Mark Tapscott, The Heritage Foundation, Lisa Graves, American Civil Liberties Union, Meredith Fuchs, George Washington University National Security Archive, and Thomas M. Susman, Ropes and Gray LLP, all of Washington, D.C.; and Walter Mears, Chapel Hill, North Carolina.

TELECOMMUNICATIONS INDUSTRY MERGERS

Committee on the Judiciary: Committee concluded a hearing to examine the SBC/ATT and Verizon/MCI mergers relating to remaking the telecommunications industry, after receiving testimony from Edward E. Whitacre, Jr., SBC Communications Inc., San Antonio, Texas; Ivan G. Seidenberg, Verizon Communications, Inc., New York, New York; David Dorman, AT&T Corporation, Bedminister, New Jersey; and Michael D. Capellas, MCI, Inc., Ashburn, Virginia.

BUSINESS MEETING

Select Committee on Intelligence: Committee met in closed session to consider pending intelligence matters.

Committee recessed subject to the call.

RETIREMENT

Special Committee on Aging: Committee concluded a hearing to examine the economics of retirement, focusing on the aging population, after receiving testimony from Alan Greenspan, Chairman, Board of Governors of the Federal Reserve Board.

House of Representatives

Chamber Action

Measures Introduced: 37 public bills, H.R. 1291–1327; 1 private bill, H.R. 1328; and 11 resolutions, H.J. Res. 37; H. Con. Res. 96–99, and H. Res. 153–158, were introduced. **Page 4730**

Additional Cosponsors: **Page 4733**

Reports Filed: Report were filed today as follows:

H. Res. 154, providing for consideration of H. Con. Res. 95, establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010 (H. Rept. 109–19). **Page 4730**

Speaker: Read a letter from the Speaker wherein he appointed Representative Porter to act as Speaker pro tempore for today. **Page 4645**

Chaplain: The prayer was offered today by Most Rev. Edward J. Slattery, Bishop, Diocese of Tulsa, Oklahoma. **Page 4647**

Recess: The House recessed at 9:17 a.m. and reconvened at 10 a.m. **Page 4647**

Emergency Supplemental Wartime Appropriations Act: The House began consideration of H.R. 1268, making emergency supplemental appropriations for the fiscal year ending September 30, 2005. Further consideration of the bill will resume tomorrow, March 16. **Pages 4658 4714**

Agreed by unanimous consent to limit further amendments offered and the time for debate on such amendments. **Page 4714**

Agreed to:

Moran of Virginia amendment that reduces and then increases by the same amount, the funding for Operation and Maintenance, Defense-Wide; **Page 4680**

Jackson of Illinois en bloc amendment that increases funding for International Disaster & Famine Assistance and Migration & Refugee Assistance; **Page 4689**

Maloney amendment that increases funding for the Tsunami Recovery and Reconstruction Fund; and **Page 4690**

Upton of Michigan amendment that prohibits the use of funds for embassy security, construction, and maintenance (by a recorded vote of 258 ayes to 170 noes, Roll No. 73). **Pages 4705, 4710**

Rejected:

Tancredo amendment that sought to prohibit the use of funds in Title IV, Chapter 1 to provide emergency relief, rehabilitation or reconstruction aid; **Page 4702**

Tierney amendment that sought to increase the funding for Operation and Maintenance, Defense-Wide (by a recorded vote of 191 ayes to 236 noes, Roll No. 72); **Pages 4677, 4709**

Weiner amendment that sought to prohibit the use of funds to finance any assistance to Saudi Arabia (agreed to limit time for debate on the amendment) (by a recorded vote of 196 ayes to 231 noes, Roll No. 74); and **Pages 4707, 4711**

Weiner amendment that sought to prohibit the use of funds for assistance to the Palestinian Authority or for programs, projects, and activities in the West Bank or Gaza. **Page 4721**

Withdrawn:

Woolsey amendment that was offered and subsequently withdrawn that would have increased funding for reserve personnel in all branches of the Armed Forces, and for the Army and Air Force National Guard; **Page 4679**

Garrett of New Jersey amendment that was offered and subsequently withdrawn that would have inserted a new section at the end of the bill regarding Offsetting Government-Wide Rescission; **Page 4699**

Kelly amendment that was offered and subsequently withdrawn that would have prohibited the use of funds to provide assistance to the Government of the Federal Republic of Nigeria; **Page 4713**

Lantos amendment (No. 4 printed in the Congressional Record of March 14) that was offered and subsequently withdrawn that would have added a title VII to the measure, entitled Hope at Home Act; and **Page 4714**

Markey amendment that was offered and subsequently withdrawn that would have prohibited the use of funds to implement any regulation reducing the total amount of monthly military pay for a member of the Armed Forces who is wounded or otherwise injured while assigned to duty in an area for which special pay is available. **Page 4719**

Point of Order sustained against:

Tierney amendment that sought to establish a select committee to investigate reconstruction efforts in Iraq and Afghanistan; **Page 4675**

Jackson-Lee of Texas amendment (No. 3 printed in the Congressional Record of March 14) that sought to increase funding for Immigration and Customs Enforcement; **Page 4695**

Filner amendment that sought to provide funding for the Veterans' Health Administration (agreed to sustain the ruling of the chair by a recorded vote of 224 ayes to 200 noes, Roll No. 71); and **Page 4700**

Reyes en bloc amendment that sought to provide funding for veterans' health-care programs, and adds a Title VII to the bill regarding the Department of Homeland Security. **Page 4704**

H. Res. 151, the rule, providing for consideration of the bill was agreed to by voice vote. **Page 4649**

Agreed to the Cole amendment by voice vote. **Page 4656**

Earlier it was agreed to order the previous question on the resolution the amendment, by a yea-and-nay vote of 220 yeas to 195 nays, Roll No. 69. **Page 4657**

Privileged Resolution: The House agreed to table H. Res. 153, relating to a question of privileges of the House, by a recorded vote of 223 ayes to 194 noes, Roll No. 70. **Page 4657**

Quorum Calls—Votes: One yea-and-nay vote and five recorded votes developed during the proceedings of the House today and appear on pages 4657–58, 4701, and 4709–11. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 7:31 p.m.

Committee Meetings

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS

Committee on Appropriations: Subcommittee on the Department of Homeland Security held a hearing on Customs and Border Protection. Testimony was heard from Robert Bonner, Commissioner, Customs and Border Protection, Department of Homeland Security.

LABOR, HHS, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on the Department of Labor, Health and Human Services, Education, and Related Agencies held a hearing on Health Resources and Services Administration. Testimony was heard from Elizabeth James Duke, Administrator, Health Resources and Services Administration, Department of Health and Human Services.

ENERGY AND WATER DEVELOPMENT AND RELATED PROGRAMS APPROPRIATIONS

Committee on Appropriations: Subcommittee on Energy and Water Development, and Related Agencies held a hearing on Department of Energy—Science, Nuclear Energy and Renewable Energy/Conservation. Testimony was heard from the following officials of the Department of Energy: Raymond L. Orbach, Director, Office of Science; William D. Magwood, IV, Director, Office of Nuclear Energy, Science and Technology; and David K. Garman, Assistant Secretary, Office of Energy Efficiency and Renewable Energy.

SCIENCE, THE DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Science, the Departments of State, Justice, and Commerce, and Related Agencies continued appropriation hearings. Testimony was heard from Members of Congress.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST FISCAL YEAR 2006—NAVAL CRITICAL ENABLERS

Committee on Armed Services: Subcommittee on Projection Forces held a hearing on the Fiscal Year 2006 National Defense Authorization budget request—Naval Critical Enablers. Testimony was heard from the following officials of the Department of the Navy: E. Anne Sandel, Deputy Assistant Secretary, Integrated Warfare Systems; Roger M. Smith, Deputy Assistant Secretary, Littoral and Mine Warfare; RADM Mark J. Edwards, USN, Director, Surface Warfare Division (N76), Department of the Navy; MG Gordon C. Nash, USMC, Director, Expeditionary Warfare Division (N75), U.S. Marine Corps; RADM Joseph A. Walsh, USN, Director, Submarine Warfare Division (N77); and RADM Anthony L. Winns, USN, Deputy Director, Air Warfare Division (N78), Department of the Navy.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST FISCAL YEAR 2006

Committee on Armed Services: Subcommittee on Readiness held a hearing on the Fiscal Year 2006 National Defense Authorization budget request for Military Construction, Family Housing, Base Closures, and Facilities Operations and Maintenance. Testimony was heard from the following officials of the Department of Defense: Philip Crone, Deputy Under Secretary, Installations and Environment; Geoffrey G. Prosch, Principal Deputy Assistant Secretary, Army, Installations and Environment; B.J. Penn, Assistant Secretary, Navy, Installations and Environment; and Fred W. Kuhn, Deputy Assistant Secretary, Air Force, Installations.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST FISCAL YEAR 2006 MISSILE DEFENSE PROGRAMS

Committee on Armed Services: Subcommittee on Strategic Forces held a hearing on the Fiscal Year 2006 National Defense Authorization budget request for Missile Defense Programs. Testimony was heard from the following officials of the Department of Defense: LTG Trey Obering, USAF, Director, Missile Defense Agency; LTG Larry J. Dodgen, USA, Commander, U.S. Army Space and Missile Defense Command; and David W. Duma, Acting Director, Operational Test and Evaluation.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST FISCAL YEAR 2006

Committee on Armed Services: Subcommittee on Terrorism, Unconventional Threats and Capabilities held a hearing on the Fiscal Year 2006 National Defense Authorization budget request—Department of Defense responsibilities in homeland defense and homeland security missions. Testimony was heard from the following officials of the Department of Defense: Paul McHale, Assistant Secretary, Homeland Defense; ADM Timothy Keating, USN, Commander, North American Aerospace Defense Command and United States Northern Command; and LTG H. Steven Blum, USA, Chief, National Guard Bureau.

WELFARE REFORM: REAUTHORIZATION OF WORK AND CHILD CARE

Committee on Education and the Workforce: Subcommittee on 21st Century Competitiveness held a hearing entitled "Welfare Reform: Reauthorization of Work and Child Care." Testimony was heard from Wade F. Horn, Assistant Secretary, Children and Families, Department of Health and Human Services; and public witnesses.

PROTECTING CONSUMERS' DATA

Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protection held a hearing entitled "Protecting Consumers' Data: Policy Issues Raised by ChoicePoint." Testimony was heard from Deborah Platt Majoras, Chairman, FTC; and public witnesses.

REGULATION NMS: THE SEC'S VIEW

Committee on Financial Services: Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises held a hearing entitled "Regulation NMS: The SEC's View." Testimony was heard from William H. Donaldson, Chairman, SEC.

OVERSIGHT—UNITED NATIONS REFORM

Committee on International Relations: Held an oversight hearing on United Nations Reform: Challenges and Prospects. Testimony was heard from the following former United States Permanent Representatives to the United Nations: Ambassador Jeane J. Kirkpatrick, Ambassador Richard C. Holbrooke, and Ambassador Richard S. Williamson.

PROTECTION OF LAWFUL COMMERCE ON ARMS ACT

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held a hearing on H.R. 800, Protection of Lawful Commerce in Arms Act. Testimony was heard from public witnesses.

OVERSIGHT—DEPARTMENT OF HOMELAND SECURITY

Committee on the Judiciary: Subcommittee on Crime, Terrorism and Homeland Security held an oversight hearing on the Department of Homeland Security to Examine the Security of the Nation's Seaports and the Cargo Entering Those Ports. Testimony was heard from the following officials of the Department of Homeland Security: Jayson P. Ahern, Assistant Commissioner, U.S. Customs and Border Protection; and RADM Larry Hereth, USCG, Director, Port Security; Jeff Keever, Deputy Executive Director, Port Authority, State of Virginia; and a public witness.

OVERSIGHT—ELECTRICITY SYSTEM IMPROVEMENT

Committee on Resources: Subcommittee on Water and Power held an oversight hearing on the Power Marketing Administrations' Role in Bringing Our Nationwide Electricity Transmission System into the 21st Century. Testimony was heard from the following Administrators of the Power Administrations, Department of Energy: Charles A. Borchardt, Southeastern Power Administration; Michael A. Deihl, Southwestern Power Administration; Michael S. Hacskaylo, Western Area Power Administration; and Stephen J. Wright, Bonneville Power Administration.

CONCURRENT RESOLUTION ON THE BUDGET, FY 2006

Committee on Rules: Granted, by voice vote, a structured rule providing 5 hours of general debate on H. Con. Res. 95, Concurrent Resolution on the Budget, FY 2006, with 4 hours equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget, and one hour on the subject of economic goals and policies equally divided and controlled by Representative Saxton of New Jersey and Representative Maloney of New York or their designees. The rule waives all points of order against consideration of the concurrent resolution. The rule provides that the concurrent resolution shall be considered for amendment under the five-minute rule and that the concurrent resolution shall be considered as read. The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution which may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House and in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report, except that the adoption of an amendment in the nature of a substitute shall constitute the conclusion of consideration of the concurrent resolution for amendment. The rule permits the chairman of the Budget Committee to offer amendments in the House to achieve mathematical consistency. The rule provides that the concurrent resolution shall not be subject to a demand for division of the question of its adoption. The rule provides that after passage of H. Con. Res. 95, it shall be in order to consider in the House S. Con. Res. 18, to move to strike all after the resolving clause of S. Con Res. 18, and to insert the provisions of H. Con. Res. 95, as passed by the House. Finally, the rule waives all points of order against S. Con. Res. 18, against its consideration, and against the motion to strike and insert. Testimony was heard from Chairman Nussle and Representatives Shays, Flake, Spratt, Cooper, Scott of Virginia, Stupak, Brown of Ohio, Harman, and Jackson-Lee of Texas.

MISCELLANEOUS MEASURES

Committee on Science: Subcommittee on Environment, Technology, and Standards approved for full Committee action the following bills: H.R. 50, amended, National Oceanic and Atmospheric Administration Act; H.R. 798, Methamphetamine Remediation Research Act of 2005; and H.R. 250, amended, Manufacturing Technology Competitiveness Act of 2005.

OVERSIGHT—LASERS

Committee on Transportation and Infrastructure: Subcommittee on Aviation held an oversight hearing on Lasers: A Hazard to Aviation Safety and Security? Testimony was heard from Nicholas A. Sabatini, Associate Administrator, Aviation Safety, FAA, Department of Transportation; and public witnesses.

MEASURING PHYSICIAN QUALITY AND EFFICIENCY OF CARE IN MEDICARE

Committee on Ways and Means: Subcommittee on Health held a hearing on Measuring Physician Quality and Efficiency of Care in Medicare. Testimony was heard from Herb Kuhn, Director, Center for Medicare Management, Centers for Medicare and Medicaid Services, Department of Health and Human Services; and public witnesses.

PERSONAL RESPONSIBILITY, WORK, AND FAMILY PROTECTION ACT OF 2005

Committee on Ways and Means: Subcommittee on Human Resources approved for full Committee action, as amended, H.R. 240, Personal Responsibility, Work, and Family Protection Act of 2005.

BUDGET HEARING

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on the Budget. Testimony was heard from departmental witnesses.

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Wednesday, March 16, 2005

Senate

Chamber Action

Routine Proceedings, pages 4956–5075

Measures Introduced: Fourteen bills and three resolutions were introduced, as follows: S. 632–645, S.J. Res. 10–11, and S. Res. 83. **Page 5046**

Measures Reported:

S. 161, to provide for a land exchange in the State of Arizona between the Secretary of Agriculture and Yavapai Ranch Limited Partnership. (S. Rept. No. 109–40) **Page 5046**

Concurrent Budget Resolution: Senate continued consideration of S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010, taking action on the following amendments proposed thereto: **Page 4956**

Adopted:

By 96 yeas to 4 nays (Vote No. 54), Ensign Amendment No. 171, to increase veterans medical care by $410,000,000 in fiscal year 2006. **Pages 4956, 4985, 5005**

By 63 yeas to 37 nays (Vote No. 56), Specter/Harkin Amendment No. 173, to increase discretionary health and education funding by $2,000,000,000. **Pages 4959, 5007**

Rejected:

By 46 yeas to 52 nays (Vote No. 51), Byrd Amendment No. 158, to provide adequate funding of $1.4 billion in fiscal year 2006 to preserve a national intercity passenger rail system. **Pages 4956, 4991**

By 49 yeas to 51 nays (Vote No. 52) Cantwell Amendment No. 168, to strike section 201(a)(4) relative to the Arctic National Wildlife Refuge. **Pages 4956, 4965, 4993**

By 50 yeas to 50 nays (Vote No. 53), Feingold Amendment No. 186, to fully reinstate the pay-as-you-go requirement. **Page 4993**

By 47 yeas to 53 nays (Vote No. 55), Akaka Amendment No. 149, to increase veterans medical care by $2.8 billion in 2006. **Pages 4965, 4985, 5006**

Pending:

Bingaman (for Smith) Amendment No. 204, to create a reserve fund for the establishment of a Bipartisan Medicaid Commission to consider and recommend appropriate reforms to the Medicaid program, and to strike Medicaid cuts to protect states and vulnerable populations. **Page 5007**

Carper Amendment No. 207, to provide for full consideration of tax cuts in the Senate under regular order. **Page 5016**

Snowe Amendment No. 214, to ensure that any savings associated with legislation that provides the Secretary of Health and Human Services with the authority to participate in the negotiation of contracts with manufacturers of covered part D drugs to achieve the best possible prices for such drugs under part D of title XVIII of the Social Security Act, that requires the Secretary to negotiate contracts with manufacturers of such drugs for each fallback prescription drug plan, and that requires the Secretary to participate in the negotiation for a contract for any such drug upon request of a prescription drug plan or an MA–PD plan, is reserved for reducing expenditures under such part. **Page 5020**

Harkin Amendment No. 172, to restore the Perkins Vocational Education program and provide for deficit reduction paid for through the elimination of the phase out of the personal exemption limitation and itemized deduction limitation for high-income taxpayers now scheduled to start in 2006. **Page 5025**

Hutchison Amendment No. 218, to fully fund the level of Border Patrol Agents authorized by the National Intelligence Reform Act of 2004 and as recommended by the 9/11 Commission. **Page 5027**

Landrieu Amendment No. 219, to establish a reserve fund in the event that legislation is passed to provide a 50 percent tax credit to employers that continue to pay the salaries of Guard and Reserve employees who have been called to active duty. **Page 5029**

Salazar/Conrad Amendment No. 215, to provide additional funding for rural education, rural health access, and rural health outreach programs. **Page 5031**

Conrad (for Dorgan) Amendment No. 210, to repeal the tax subsidy for certain domestic companies which move manufacturing operations and American jobs offshore. **Page 5032**

Collins (for Lieberman/Collins) Amendment No. 220, to protect the American people from terrorist attacks by restoring $565 million in cuts to vital first-responder programs in the Department of Homeland Security, including the State Homeland Security Grant program, by providing $150 million for port security grants and by providing $140 million for 1,000 new border patrol agents. **Page 5032**

Vitter Amendment No. 223, to express the sense of the Senate that Congress should provide dedicated funding for port security enhancements. **Page 5035**

Vitter Amendment No. 224, to restore funding for Corps of Engineers environmental programs to fiscal year 2005 levels. **Page 5035**

Allen Modified Amendment No. 197, to increase by $1,582,700,000 over fiscal years 2006 through 2010 funding for Transportation (budget function 400) with the amount of the increase intended to be allocated to the Vehicle Systems account of the National Aeronautics and Space Administration for subsonic and hypersonic aeronautics research. **Page 5036**

A unanimous-consent agreement was reached providing for further consideration of the resolution at 9 a.m., on Thursday, March 17, 2005; that certain Senators be recognized to offer amendments; and that at approximately 1:20 p.m., Senate begin a series of votes on certain amendments. **Page 5075**

Nominations Confirmed: Senate confirmed the following nominations:

Ronald Rosenfeld, of Oklahoma, to be a Director of the Federal Housing Finance Board for the remainder of the term expiring February 27, 2009.

Raymond Thomas Wagner, Jr., of Missouri, to be a Member of the Internal Revenue Service Oversight Board for a term expiring September 14, 2009.

Routine lists in the Coast Guard, Foreign Service, National Oceanic and Atmospheric Administration. **Pages 5074, 5075**

Messages From the House: **Page 5045**

Measures Referred: **Page 5045**

Executive Communications: **Page 5045**

Executive Reports of Committees: **Page 5046**

Additional Cosponsors: **Page 5046**

Statements on Introduced Bills/Resolutions: **Page 5048**

Additional Statements: Page 5043

Amendments Submitted: Page 5061

Notice of Hearings/Meetings: Page 5074

Authority for Committees to Meet: Page 5074

Privilege of the Floor: Page 5074

Record Votes: Six record votes were taken today. (Total—56) Pages 4993, 5005–07

Adjournment: Senate convened at 9 a.m., and adjourned at 9:48 p.m., until 9 a.m., on Thursday, March 17, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 5075.)

Committee Meetings

APPROPRIATIONS: NAVY

Committee on Appropriations: Subcommittee on Defense concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the Navy, after receiving testimony from Gordon R. England, Secretary of the Navy, Admiral Vern Clark, USN, Chief of Naval Operations, and General Michael W. Hagee, Commandant of Marine Corps, all of the Department of Defense.

APPROPRIATIONS: DEPARTMENT OF HEALTH AND HUMAN SERVICES

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the Department of Health and Human Services, after receiving testimony from Michael O. Leavitt, Secretary of Health and Human Services.

APPROPRIATIONS: ARMY AND AIR FORCE

Committee on Appropriations: Subcommittee on Military Construction and Veterans Affairs concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the Army and Air Force, after receiving testimony from Geoffrey G. Prosch, Principal Deputy Assistant Secretary for Installations and Environment, Major General Geoffrey D. Miller, Assistant Chief of Staff, Installation Management, Major General Walter F. Pudlowski, Special Assistant to the Director, Army National Guard, and Brigadier General Gary M. Profit, Deputy Chief, Army Reserve, all of the Department of the Army; and Fred W. Kuhn, Acting Assistant Secretary for Installations, Logistics, and Environment, and Major General L. Dean Fox, The Air Force Civil Engineer, Deputy Chief of Staff for Installations and Logistics, both of the Department of the Air Force.

DEFENSE AUTHORIZATION: ARMY TRANSFORMATION

Committee on Armed Services: Subcommittee on Airland concluded a hearing to examine Army Transformation and the Future Combat System in review of the Defense Authorization Request for fiscal year 2006, after receiving testimony from Claude M. Bolton, Jr., Assistant Secretary of the Army for Acquisition, Logistics, and Technology; General Richard A. Cody, USA, Vice Chief of Staff, U.S. Army; Paul L. Francis, Director, Acquisition and Sourcing Management, Government Accountability Office; David R. Graham, Institute for Defense Analyses, Alexandria, Virginia; and Kenneth F. Boehm, National Legal and Policy Center, Falls Church, Virginia.

DEFENSE AUTHORIZATION REQUEST: NATIONAL SECURITY SPACE POLICY

Committee on Armed Services: Committee concluded a hearing to examine national security space policy and programs in review of the Defense Authorization request for fiscal year 2006, after receiving testimony from Peter B. Teets, Acting Secretary of the Air Force; General James E. Cartwright, USMC, Commander, United States Strategic Command; General Lance W. Lord, USAF, Commander, United States Air Force Space Command; Lieutenant General Larry J. Dodgen, USA, Commanding General, United States Army Space and Missile Defense Command, and United States Army Forces Strategic Command; and Vice Admiral Joseph A. Sestak, Jr., USN, Deputy Chief of Naval Operations, Warfare Requirements and Programs.

IMPROVISED EXPLOSIVE DEVICES

Committee on Armed Services: Committee met in closed session to receive a briefing on Improvised Explosive Devices (IED) and the evolving IED threat and the Department of Defense's approach to addressing this issue from General Richard A. Cody, USA, Vice Chief of Staff, United States Army, Brigadier General Joseph L. Votel, USA, Director, Joint IED Task Force, and Robert Buhrkuhi, Director, Joint Rapid Acquisition Cell, Office of the Under Secretary of Defense (Acquisition, Technology, and Logistics).

IDENTITY THEFT

Committee on Banking, Housing, and Urban Affairs: On March 15, 2005, Committee concluded hearings to examine identity theft, focusing on recent developments involving the security of sensitive consumer information, after receiving testimony from Don McGuffey, ChoicePoint, Inc., Alexandria, Virginia; Evan Hendricks, Privacy Times, Cabin John, Maryland; and Barbara J. Desoer, Bank of America Corporate Center, Charlotte, North Carolina.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported the nominations of Jeffrey Clay Sell, of Texas, to be Deputy Secretary of Energy, and Patricia Lynn Scarlett, of California, to be Deputy Secretary of the Interior.

BUSINESS MEETING

Committee on Environment and Public Works: Committee ordered favorably reported the following bills:

S. 606, to amend the Clean Air Act to eliminate methyl tertiary butyl ether from the United States fuel supply, to increase production and use of renewable fuel, and to increase the Nation's energy independence, with amendments; and

The Safe, Accountable, Flexible and Efficient Transportation Equity Act of 2005, with amendments.

EXPIRING TAX PROVISIONS

Committee on Finance: Committee held hearings to examine expiring tax provisions, focusing on the Administration's proposals to extend expiring tax provisions, receiving testimony from Robert J. Carroll, Deputy Assistant Secretary of the Treasury for Tax Analysis; Hy L. Dubowsky, New York State Department of Labor, Albany; Daniel L. Doctoroff, New York Deputy Mayor for Economic Development and Rebuilding, New York; Donald C. Alexander, Akin, Gump, Strauss, Hauer, and Feld LLP, Washington, D.C.; David E. Martin, M–CAM, Charlottesville, Virginia; David Hernandez, EDS, Plano, Texas, on behalf of the R&D Credit Coalition; and Dale Giovengo, Giant Eagle Markets, Pittsburgh, Pennsylvania.

Hearings recessed subject to the call of the Chair.

ARMS EMBARGO ON CHINA

Committee on Foreign Relations: Committee concluded a hearing to examine the lifting of the European Union (EU) arms embargo on China, focusing on United States-EU-China relations, trans-Atlantic differences, the emergence of China as a more powerful global and regional player, Chinese military modernization, and the future security and stability in East Asia, after receiving testimony from Richard F. Grimmett, Specialist in National Defense, Congressional Research Service, Library of Congress; Peter T.R. Brookes, Heritage Foundation, and Bates Gill, Center for Strategic and International Studies, both of Washington, D.C.

OBSCENITY PROSECUTION AND THE CONSTITUTION

Committee on the Judiciary: Subcommittee on the Constitution, Civil Rights and Property Rights concluded a hearing to examine obscenity prosecution and the constitution, focusing on prostitution, child prostitution, and human trafficking, after receiving testimony from Robert A. Destro, Catholic University of America Columbus School of Law, and Patrick A. Trueman, Family Research Council, both of Washington, D.C.; and Frederick Schauer, Harvard University John F. Kennedy School of Government, Cambridge, Massachusetts.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Measures Introduced: 27 public bills, H.R. 1329–1355; and 9 resolutions, H. Con. Res. 100–102 and H. Res. 159–161, 164–166, were introduced. **Page 4953**

Additional Cosponsors: **Page 4954**

Reports Filed: Report were filed today as follows:

H. Res. 162, providing for consideration of H.R. 1334, to amend title 28, United States Code, to provide for the removal to Federal court of certain State court cases involving the rights of incapacitated persons (H. Rept. 109–20); and

H. Res. 163, waiving a requirement of clause 6(a) of rule XIII with respect to the same day consideration of certain resolutions reported by the Committee on Rules (H. Rept. 109–21). **Page 4953**

Speaker: Read a letter from the Speaker wherein he appointed Representative Bradley to act as Speaker pro tempore for today. **Page 4837**

Chaplain: The prayer was offered today by Rev. James P. Campbell, Pastor, Christ Life Church in Woodstock, Illinois. **Page 4837**

Journal: Agreed to the Speaker's approval of the Journal by voice vote. **Pages 4837, 4936**

Committee Election: The House agreed to H. Res. 147, electing the following Members to the following Committees: Joint Committee on Printing: Representatives Doolittle, Reynolds, Millender-McDonald, and Brady (PA); and **Page 4840**

Joint Committee on the Library: Representatives Ehlers, Miller (MI), Millender-McDonald, and Zoe Lofgren (CA). **Page 4840**

Emergency Supplemental Wartime Appropriations Act: The House passed H.R. 1268, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, by a yea-and-nay vote of 388 yeas to 43 nays, Roll No. 77. The bill was also considered yesterday, March 15. **Page 4840**

Rejected the Hooley motion to recommit the bill to the Committee on Appropriations with instructions to report the bill back to the House forthwith with an amendment, by a recorded vote of 200 ayes to 229 noes, Roll No. 76. **Page 4853**

Yesterday it was agreed by unanimous consent to limit further amendments offered and the time for debate on such amendments.

Agreed to:

Velázquez amendment (No. 8 printed in the Congressional Record of March 15) that prohibits the use of funds for any contract in contravention of section 15(g)(2) of the Small Business Act; **Page 4843**

Markey amendment (debated yesterday, March 15) that reaffirms the U.S. commitment to the U.N. Convention Against Torture (by a recorded vote of 420 ayes to 2 noes and 3 voting "present", Roll No. 75). **Page 4844**

Withdrawn:

Obey amendment that was offered and subsequently withdrawn that would have prohibited the use of funds provided for national intelligence programs until the President submits a proposal on how to inform Congressional committees of clandestine military activities in terrorist-sponsored countries. **Page 4841**

Point of Order sustained against:

Filner amendment that sought to guarantee that companies receiving contracts from the bill make every effort to hire veterans. **Page 4841**

Pursuant to sec. 2 of the H. Res. 151, the text of H.R. 418, to establish and rapidly implement regulations for State driver's license and identification document security standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, and to ensure expeditious construction of the San Diego border fence, was appended to the engrossment of H.R. 1268; and the title of H.R. 1268 was conformed to reflect the addition of the text of H.R. 418. Conformed so as to read: making emergency supplemental appropriations for the fiscal year ending September 30, 2005, to establish and rapidly implement regulations for State driver's license and identification document security standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, to ensure expeditious construction of the San Diego border fence. **Page 4855**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Amending the Internal Revenue Code of 1986: H.R. 1270, to amend the Internal Revenue Code of 1986 to extend the Leaking Underground Storage Tank Trust Fund financing rate, by a ⅔ yea-and-nay vote of 431 yeas to 1 nay, Roll No. 80; **Pages 4855, 4875**

Expressing concern regarding the recent passage of the anti-secession law in the People's Republic of China: H. Con. Res. 98, expressing the grave concern of Congress regarding the recent passage of the anti-secession law by the National People's Congress of the People's Republic of China, by a ⅔ yea-and-nay vote of 424 yeas to 4 nays, Roll No. 81; and **Pages 4856, 4875**

Protection of Incapacitated Persons Act of 2005: H.R. 1332, amended, to amend title 28, United States Code, to provide for the removal to Federal court of certain State court cases involving the rights of incapacitated persons. **Page 4930**

Suspensions—Proceedings Postponed: The House completed debate on the following measures under suspension of the rules. Further consideration of the measures will resume tomorrow, March 17:

Expressing concern regarding the continued violations of human rights and civil liberties of the Syrian and Lebanese people by the Government of the Syrian Arab Republic: H. Con. Res. 18, amended, expressing the grave concern of Congress regarding the continuing gross violations of human rights and civil liberties of the Syrian and Lebanese people by the Government of the Syrian Arab Republic; and **Page 4858**

Expressing concern regarding the occupation of the Republic of Lebanon by the Syrian Arab Republic: H. Con. Res. 32, amended, expressing the grave concern of Congress regarding the occupation of the Republic of Lebanon by the Syrian Arab Republic. **Page 4861**

Budget Resolution for Fiscal Year 2006: The House began consideration of H. Con. Res. 95, Establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010. Further consideration will resume tomorrow, March 17. **Pages 4876, 4889**

Agreed that during further consideration of the bill, the Hensarling amendment (No. 2 printed in H. Rept. 109–19) may be considered out of the specified order. **Page 4889**

Began consideration of the Hensarling amendment in the nature of a substitute (Republican Study Committee) No. 2 printed in H. Rept. 109–19, that replaces the current 19 functional categories with four functions: Defense, Homeland Security, Non-Defense Discretionary and Mandatory Spending, and Interest; and accepts the Iraq Operations Reserve Fund and creates a new "rainy day" fund for non-military emergencies. Further consideration will resume tomorrow, March 17. **Page 4919**

H. Res. 154, the rule providing for consideration of the measure was agreed to by a yea-and-nay vote of 228 ayes to 196 noes, Roll No. 79, after agreeing to order the previous question by a yea-and-nay vote of 230 yeas to 202 nays, Roll No. 78. **Page 4865**

Committee Election: The House agreed to H. Res. 161, electing Representative Matsui to the Committee on Rules. **Page 4876**

Senate Message: Message received from the Senate appears on page 4837.

Quorum Calls—Votes: Four yea-and-nay votes and three recorded votes developed during the proceedings of today and appear on pages 4844, 4853–54, and 4873–76. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 12 midnight.

Committee Meetings

U.S. AGRICULTURAL TRADE WITH CUBA

Committee on Agriculture: Held a hearing to Review United States Agricultural Trade with Cuba. Testimony was heard from Robert W. Werner, Director, Office of Foreign Assets Control, Department of the Treasury; and public witnesses.

AGRICULTURE, RURAL DEVELOPMENT, FDA, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agricultural, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on Under Secretary for Marketing and Regulatory Programs. Testimony was heard from William T. Hawks, Under Secretary, Marketing and Regulatory Programs, USDA.

ENERGY AND WATER DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Energy and Water Development, and Related Agencies held a hearing on Department of Energy—Nuclear Waste Disposal and Environmental Management. Testimony was heard from the following officials of the Department of Energy: Theodore J. Garrish, Deputy Director, Office of Civilian Radioactive Waste Management; and Paul Golan, Deputy Assistant Secretary, Office of Environmental Management.

The Subcommittee also held a hearing on the Department of Energy—Fossil Energy. Testimony was heard from Mark Maddox, Deputy Assistant Secretary, Office of Fossil Energy, Department of Energy.

SCIENCE, THE DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Science, The Departments of State, Justice, and Commerce, and Related Agencies held a hearing on the DEA. Testimony was heard from Karen P. Tandy, Administrator, DEA, Department of Justice.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST FISCAL YEAR 2006

Committee on Armed Services: Continued hearings on the Fiscal Year 2006 National Defense Authorization budget request. Testimony was heard from the following officials of the Department of the Air Force: Pete Teets, Acting Secretary; and GEN John P. Jumper, USAF, Chief of Staff.

MILITARY RECRUITING/PERSONNEL NEEDS

Committee on Armed Services: Subcommittee on Military Personnel held a hearing on Recruiting, Retention and Military Personnel Policy, and Benefits and Compensation Overview. Testimony was heard from the following officials of the Department of Defense: Charles S. Abell, Principal Deputy Under Secretary, Personnel and Readiness; LTG F. L. Hagenbeck, USA, Deputy Chief of Staff, Personnel, G–1, Department of the Army; VADM Gerald Hoewing, USN, Chief of Naval Personnel, Department of the Navy; LTG Roger A. Brady, USAF, Deputy Chief of Staff, Personnel, Department of the Air Force; LTG H.P. Osman, USMC, Deputy Commandant, Manpower and Reserve Affairs, U.S. Marine Corps.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST FISCAL YEAR 2006

Committee on Armed Services: Subcommittee on Tactical Air and Land Forces held a hearing on the Fiscal Year 2006 National Defense Authorization budget request—Future Combat Systems, Modularity, and Force Protection Initiatives. Testimony was heard from the following officials of the GAO: Paul L. Francis, Director, Acquisition and Sourcing Management; Sharon Pickup, Director, Defense Capabilities and Management; and Janet St. Laurent, Director, Defense Capabilities and Management; and the following officials of the Department of Defense: Claude M. Bolton, Jr., Assistant Secretary, Acquisition, Logistics and Technology, Department of the Army; LTG David F. Melcher, USA, Deputy Chief of Staff, Army G8 (Programming, Materiel Integration, and Management) LTG James J. Lovelace, USA, Deputy Chief of Staff, Army G3 (Operations and Requirements); and LTG James N. Mattis, USMC, Deputy Commandant, Combat Development, U.S. Marine Corps.

SMALL BUSINESS HEALTH FAIRNESS ACT

Committee on Education and the Workforce: Ordered reported H.R. 525, Small Business Health Fairness Act of 2005.

E-RATE PROBLEMS

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing on Problems with the E-rate Program: GAO Review of FCC Management and Oversight. Testimony was heard from Mark L. Goldstein, Director, Physical Infrastructure Issues, GAO; and the following officials of the FCC: Jeffrey Carlisle, Chief, Wireline Competition Bureau; and Thomas Bennett, Assistant Inspector General for USF Oversight.

INTERNET COMMUNICATIONS

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held a hearing entitled "How Internet Protocol-Enabled Services Are Changing the Face of Communications: A Look at the Voice Marketplace." Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Financial Services: Ordered reported the following measures: H.R. 458, Military Personnel Financial Services Protection Act; H.R. 749, amended, Expanded Access to Financial Services Act of 2005; H.R 280, Brownfields Redevelopment Enhancement Act; H.R. 804, to exclude from consideration as income certain payments under the national flood insurance program; H.R. 1057, amended, True American Heroes Act; and H.R. 902, amended, Presidential $1 Coin Act.

MISCELLANEOUS MEASURES; OVERSIGHT PLAN; GSA STREAMLINING

Committee on Government Reform: Ordered reported the following measures: H. Res 142, Supporting the goals and ideals of a "Rotary International Day" and celebrating and honoring Rotary International on the occasion of its centennial anniversary; and H. Res. 148, Supporting the goals and ideals of Financial Literacy Month.

The Committee also approved an Oversight Plan for the 109th Congress.

The Committee also held a hearing entitled "Service Oriented Streamlining: Rethinking the Way GSA Does Business." Testimony was heard from the following officials of the GSA: Stephen A. Perry, Administrator; and Eugene Waszily, Assistant Inspector General, Auditing; Deidre Lee, Director, Defense Procurement and Acquisition Policy, Department of Defense; and public witnesses.

OVERSIGHT—ENERGY DEMANDS

Committee on Government Reform: Subcommittee on Energy and Resources held an oversight hearing entitled "Energy Demands in the 21st Century: Are Congress and the Executive Branch Meeting the Challenge?" Testimony was heard from Jim Wells, Director, Natural Resources and Environment, GAO; Guy Caruso, Administrator, Energy Information Administration, Department of Energy; and a public witness.

ARMY NATIONAL GUARD TRAVEL REIMBURSEMENT PROCEDURES

Committee on Government Reform: Subcommittee on Government Management, Finance, and Accountability held a hearing entitled "Strengthening Travel Reimbursement Procedures for Army National Guard Soldiers." Testimony was heard from the following officials of the Department of Defense: Patrick T. Shine, Director, Military and Civilian Pay Services, Defense Finance and Accounting Service; Roy Wallace, Director, Plans and Resources, Department of the Army; and John Argodale, Deputy Assistant Secretary, Financial Operations, Office of the Assistant Secretary of the Army, Financial Management and Comptroller; and Gregory D. Kutz, Director, Financial Management and Assurance, GAO.

COMMITTEE FUNDING

Committee on House Administration: Met to consider funding requests for the following Committees: Transportation and Infrastructure; Science; Veterans Affairs; Government Reform; House Administration; Homeland Security, Education and the Workforce; Energy and Commerce; Standards of Official Conduct; Ways and Means; Resources; and the Select Committee on Intelligence.

U.S. LIBYAN RELATIONS

Committee on International Relations: Held a hearing on Libya: Progress on the Path Toward Cautious Reengagement. Testimony was heard from William J. Burns, Acting Under Secretary, Political Affairs, Department of State.

OVERSIGHT—NORTHERN IRELAND HUMAN RIGHTS

Committee on International Relations: Subcommittee on Africa, Global Human Rights and International Operations held an oversight hearing on Northern Ireland Human Rights: Update on the Cory Collusion Inquiry Reports. Testimony was heard from Mitchell Reiss, Special Envoy of the President and The Secretary of State for Northern Ireland, Department of State; and public witnesses.

BANKRUPTCY REFORM; JEFF GANNON INVESTIGATION

Committee on the Judiciary: Ordered reported S. 256, Bankruptcy Abuse Prevention and Consumer Protection Act of 2005.

The Committee adversely reported H. Res. 136, Directing the Attorney General and the Secretary of Homeland Security to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resolution documents in the possession of those officials relating to the security investigations and background checks relating to granting access to the White House of James D. Guckert (also known as Jeff Gannon).

OVERSIGHT—U.S. ENERGY AND MINERAL NEEDS SECURITY AND POLICY

Committee on Resources: Subcommittee on Energy and Mineral Resources held an oversight hearing on U.S. Energy and Mineral Needs Security and Policy: Impacts of Sustained Increases in Global Energy and Mineral Consumption by Emerging Economics Such as China and India. Testimony was heard from Guy F. Caruso, Administrator, Energy Information Administration, Department of Energy; Dave Menzie, Chief, International Minerals Section, U.S. Geological Survey, Department of the Interior; Jeffrey Logan, China Program Manager, International Energy Agency; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Forests and Forest Health held a hearing on the following bills: H.R. 410, Northern Arizona Land Exchange and Verde River Basin Partnership act of 2005; H.R. 599, Federal Lands Restoration Enhancement, Public Education, and Information Resources Act of 2005, and H.R. 975, Trail Responsibility and Accountability for the Improvement of Lands Act. Testimony was heard from Joel Holtrop, Deputy Chief, National Forest System, Forest Service, USDA; Kim Thorsen, Assistant Director, Office of Law Enforcement and Security, Department of the Interior; Joe Donandson, Mayor, Flagstaff, Arizona; and public witnesses.

PROTECTION OF INCAPACITATED PERSONS ACT OF 2005

Committee on Rules: Granted, by voice vote, a closed rule providing one hour of debate in the House on H.R. 1334, Protection of Incapacitated Persons Act of 2005, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the bill. Finally, the rule provides one motion to recommit.

SAME DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE RULES COMMITTEE

Committee on Rules: Granted, by voice vote, a rule waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules committee. The rule applies the waiver to any special rule reported on the legislative day of March 17, 2005, providing for consideration of a bill relating to the rights of an incapacitated person or persons.

FUTURE OF AERONAUTICS AT NASA

Committee on Science: Subcommittee on Space and Aeronautics held a hearing on the Future of Aeronautics at NASA. Testimony was heard from J. Victor LeBacqz, Associate Administrator, Aeronautics Research Mission Directorate, NASA; and public witnesses.

REGULATORY FLEXIBILITY IMPROVEMENTS ACT

Committee on Small Business: Held a hearing entitled "The RFA at 25: Needed Improvements for Small Business Regulatory Relief." Testimony was heard from Thomas Sullivan, Chief Counsel for Advocacy, SBA; and public witnesses.

OVERSIGHT—MEMBER PROJECTS REQUESTS

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment held an oversight hearing on Member Project Requests for the Water Resources Development Act of 2005. Testimony was heard from Representatives Kanjorski, Shays, Pallone, Rohrabacher, Castle, Foley, McGovern, Hinojosa, Allen, Wilson of New Mexico, Holt, Miller of Michigan, Carnahan, Westmoreland, Jindal and Stupak.

PRESIDENT'S FISCAL YEAR 2006 BUDGET FOR DEPARTMENT OF LABOR

Committee on Ways and Means: Held a hearing on the President's Fiscal Year 2006 Budget for the Department of Labor. Testimony was heard from Elaine Chao, Secretary of Labor.

BUDGET HEARING

Permanent Select Committee on Intelligence: Met in executive session to continue hearings on the Budget. Testimony was heard from departmental witnesses.

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Thursday, March 17, 2005

Senate

Chamber Action

Routine Proceedings, pages 5167–5393

Measures Introduced: Forty bills and eleven resolutions were introduced, as follows: S. 646–685, S. Res. 84–91, and S. Con. Res. 20–22. **Page 5290**

Measures Reported:

S. 48, to reauthorize appropriations for the New Jersey Coastal Heritage Trail Route, with amendments. (S. Rept. No. 109–41)

S. 182, to provide for the establishment of the Uintah Research and Curatorial Center for Dinosaur National Monument in the States of Colorado and Utah, with an amendment. (S. Rept. No. 109–42)

S. 188, to amend the Immigration and Nationality Act to authorize appropriations for fiscal years 2005 through 2011 to carry out the State Criminal Alien Assistance Program.

S. 589, to establish the Commission on Freedom of Information Act Processing Delays.

S. 667, to reauthorize and improve the program of block grants to States for temporary assistance for needy families, improve access to quality child care. **Page 5288**

Measures Passed:

Condemning Violence and Criminality by the Irish Republican Army: Senate agreed to S. Res. 84, condemning violence and criminality by the Irish Republican Army in Northern Ireland. **Page 5202**

Private Relief: Senate passed S. 653, for the relief of the parents of Theresa Marie Schiavo. **Page 5218**

Concurrent Budget Resolution: By 51 yeas to 49 yeas (Vote No. 81), Senate agreed to S. Con. Res. 18, setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010, after taking action on the following amendments proposed thereto: **Pages 5167, 5202, 5221**

Adopted:

By 52 yeas to 48 nays (Vote No. 58), Bingaman (for Smith) Amendment No. 204, to create a reserve fund for the establishment of a Bipartisan Medicaid Commission to consider and recommend appropriate reforms to the Medicaid program, and to strike Medicaid cuts to protect states and vulnerable populations. **Pages 5168, 5211**

Hutchison Amendment No. 218, to fully fund the level of Border Patrol Agents authorized by the National Intelligence Reform Act of 2004 and as recommended by the 9/11 Commission. **Pages 5167, 5214**

Salazar/Conrad Amendment No. 215, to provide additional funding for rural education, rural health access, and rural health outreach programs. **Pages 5167, 5214**

By a unanimous vote of 100 yeas (Vote No. 62), Landrieu Amendment No. 219, to establish a reserve fund in the event that legislation is passed to provide a 50 percent tax credit to employers that continue to pay the salaries of Guard and Reserve employees who have been called to active duty. **Pages 5167, 5214**

Vitter Amendment No. 223, to express the sense of the Senate that Congress should provide dedicated funding for port security enhancements. **Pages 5167, 5214**

Subsequently, the amendment was modified. **Page 5215**

By 63 yeas to 37 nays (Vote No. 64), Collins (for Lieberman/Collins) Amendment No. 220, to protect the American people from terrorist attacks by restoring $565 million in cuts to vital first-responder programs in the Department of Homeland Security, including the State Homeland Security Grant program, by providing $150 million for port security grants and by providing $140 million for 1,000 new border patrol agents. **Pages 5167, 5215**

Vitter Amendment No. 224, to restore funding for Corps of Engineers environmental programs to fiscal year 2005 levels. **Pages 5167, 5215**

By 68 yeas to 31 nays (Vote No. 66), Coleman Amendment No. 230, to fully fund the Community Development Block Grant (CDBG) program. **Pages 5187, 5216**

By 73 yeas to 26 nays (Vote No. 67), Cochran Amendment No. 208, to modify the designation authority for an emergency requirement. **Pages 5191, 5216**

By 51 yeas to 49 nays (Vote No. 68), Kennedy Modified Amendment No. 177, relative to education funding. **Pages 5192, 5217**

Feinstein Amendment No. 188, to express the sense of the Senate that Congress should enact a long-term reauthorization of the State Criminal Alien Assistance Program and appropriate $750,000,000 for the program in fiscal year 2006. **Pages 5201, 5202, 5221**

Obama Amendment No. 159, to prevent and, if necessary, respond to an international outbreak of the avian flu. **Page 5222**

Leahy Amendment No. 160, to increase funding for the United Nations Children's Fund (UNICEF) and other international organizations. **Page 5222**

Grassley/Kennedy Amendment No. 164, to provide a reserve fund for the Family Opportunity Act. **Page 5222**

Hatch Amendment No. 194, to provide a deficit-neutral reserve fund for the restoration of SCHIP funds. **Page 5222**

Cochran/Byrd Amendment No. 209, to modify a provision defining advance appropriations subject to limit. **Page 5222**

Thomas/Conrad Amendment No. 226, to restore discretionary funding levels for crucial rural health programs, such as the rural health outreach grant program, the rural hospital flexibility grant program, the small hospital improvement program, tele-health, trauma programs, and rural AED programs to fiscal year 2005 levels. **Page 5222**

Mikulski Modified Amendment No. 180, to provide a deficit neutral reserve fund for the Hope credit. **Page 5222**

Allen Amendment No. 198, to express the sense of the Senate regarding funding for the National Aeronautics and Space Administration for subsonic and hypersonic aeronautics research. **Page 5222**

Lott Amendment No. 182, to express the sense of the Senate on the acquisition of the next generation destroyer (DDX). **Page 5222**

DeWine/Dodd Modified Amendment No. 153, to express the sense of the Senate concerning the care and treatment of children with HIV/AIDS. **Page 5222**

By 81 yeas to 19 nays (Vote No. 72), Talent Amendment No. 225, to provide the flexibility to consider all available transportation funding options. **Page 5224**

By 94 yeas to 6 nays (Vote No. 73), Conrad Amendment No. 243, to express the sense of the Senate that the tax cuts assumed in the budget resolution should include the repeal of the 1993 increase in the income tax on Social Security benefits. **Pages 5206, 5224**

By 55 yeas to 45 nays (Vote No. 74), Bunning Amendment No. 241, to repeal the 1993 tax increase on Social Security benefits. **Pages 5206, 5225**

Boxer Amendment No. 259, to express the sense of the Senate regarding the need for a comprehensive, coordinated, and integrated national ocean policy. **Page 5228**

Leahy Amendment No. 203, to express the sense of the Senate in support of full funding and availability of the Crime Victims Fund. **Page 5230**

Santorum Amendment No. 169, to reaffirm that the United States maintain a one-to-two ration for contributions to the Global Fund, that the United States not exceed contributing more than 33 percent of the Global Fund's revenue. **Page 5230**

Lincoln Modified Amendment No. 192, to restore funding the COPS Methamphetamine Enforcement and Clean Up Program to 2005 levels. **Page 5231**

Baucus Amendment No. 253, to support full funding for High Intensity Drug Trafficking Area. **Page 5232**

Clinton Amendment No. 155, to establish a deficit neutral reserve fund for influenza vaccine shortage prevention. **Page 5234**

Snowe/Kerry Modified Amendment No. 216, to increase funding for Small Business Administration's programs. **Page 5234**

Bayh Modified Amendment No. 157, to express the sense of the Senate regarding the amount of United States debt that is foreign-owned. **Page 5234**

Santorum Amendment No. 163, to express the sense of the Senate regarding tax relief to encourage charitable giving incentives. **Pages 5234**

Chafee Amendment No. 261, to express the sense of the Senate that the total amount of payments to States from the Water Pollution Control State Revolving Fund should be increased to $1,350,000,000. **Page 5234**

Baucus Amendment No. 167, to express the sense of the Senate that the full amount of the President's request for the administrative costs of the Social Security Administration for fiscal year 2006 should be funded. **Page 5234**

Clinton Modified Amendment No. 154, to express the sense of the Senate concerning comparative effectiveness studies. **Pages 5234, 5235**

Kohl Modified Amendment No. 217, to restore $1 billion to juvenile justice and local law enforcement programs funded by the Department of Justice. **Page 5235**

Salazar Modified Amendment No. 254, to restore funding for the payment in lieu of taxes program (PILT), in order to compensate rural counties for decreased tax revenues as a result of non-taxed federally owned county lands. **Page 5236**

Pryor Modified Amendment No. 252, to create a reserve fund for extension of the treatment of combat pay as earned income for purposes of the earned income tax credit and the child tax credit. **Page 5236**

By 53 yeas to 46 nays (Vote No. 80), Levin Modified Amendment No. 238, to promote innovation and U.S. competitiveness by expressing the sense of the Senate urging the Senate Committee on Appropriations to make efforts to fund the Advanced Technology Program, which supports industry-led research and development of cutting-edge technologies with broad commercial potential and societal benefits. **Page 5236**

Leahy Modified Amendment No. 237, to increase funding for Boys and Girls Clubs. **Page 5237**

Gregg (for Grassley) Amendment No. 262, to express the sense of the Senate with respect to pension reform. **Page 5238**

DeWine/Leahy Modified Amendment No. 161, to increase funding for Child Survival and Maternal Health Programs. **Page 5238**

Rejected:

By 49 yeas to 51 nays (Vote No. 57), Gregg (for Frist) Amendment No. 229, to express the sense of the Senate regarding Medicaid reconciliation legislation consistent with recommendations from the Secretary of Health and Human Services. **Pages 5178, 5211**

By 49 yeas to 51 nays (Vote No. 59), Carper Amendment No. 207, to provide for full consideration of tax cuts in the Senate under regular order. **Pages 5167, 5212**

By 49 yeas to 50 nays (Vote No. 60), Snowe Amendment No. 214, to ensure that any savings associated with legislation that provides the Secretary of Health and Human Services with the authority to participate in the negotiation of contracts with manufacturers of covered part D drugs to achieve the best possible prices for such drugs under part D of title XVIII of the Social Security Act, that requires the Secretary to negotiate contracts with manufacturers of such drugs for each fallback prescription drug plan, and that requires the Secretary to participate in the negotiation for a contract for any such drug upon request of a prescription drug plan or an MA–PD plan, is reserved for reducing expenditures under such part. **Pages 5167, 5213**

By 44 yeas to 56 nays (Vote No. 61), Harkin Amendment No. 172, to restore the Perkins Vocational Education program and provide for deficit reduction paid for through the elimination of the phase out of the personal exemption limitation and itemized deduction limitation for high-income taxpayers now scheduled to start in 2006. **Pages 5167, 5213**

By 40 yeas to 59 nays (Vote No. 63), Conrad (for Dorgan) Amendment No. 210, to repeal the tax subsidy for certain domestic companies which move manufacturing operations and American jobs offshore. **Pages 5167, 5214**

By 49 yeas to 51 nays (Vote No. 65), Sarbanes Amendment No. 156, to restore funding for the Community Development Block Grant (CDBG) program. **Pages 5179, 5215**

By 46 yeas to 54 nays (Vote No. 69), Baucus/Conrad Amendment No. 234, to ensure that legislation to make cuts in agriculture programs receives full consideration and debate in the Senate under regular order, rather than being fast-tracked under reconciliation procedures. **Pages 5194, 5217**

By 45 yeas to 55 nays (Vote No. 70), Biden Amendment No. 239, relative to funding to the Office of Community Oriented Policing Services. **Pages 5199, 5218**

By 45 yeas to 54 nays (Vote No. 71), Byrd/Baucus Amendment No. 240, relative to transportation funding. **Pages 5203, 5221**

By 47 yeas to 53 nays (Vote No. 75), Reid (for Clinton) Modified Amendment No. 244, to expand access to preventive health care services that reduce unintended pregnancy (including teen pregnancy), reduce the number of abortions, and improve access to women's health care. **Pages 5207, 5225**

By 45 yeas to 54 nays (Vote No. 76), Lautenberg Amendment No. 187, to strike the debt ceiling reconciliation instruction. **Pages 5209, 5227**

By 44 yeas to 54 nays (Vote No. 77), Boxer Amendment No. 257, to establish a point of order. **Page 5227**

By 45 yeas to 55 nays (Vote No. 78), Dorgan Amendment No. 211, to restore funding for tribal programs and provide necessary additional funding based on recommendations from Indian country. **Page 5228**

Feingold Amendment No. 258, to ensure that savings associated with legislation that reduces overpayments to Medicare Advantage plans is reserved for deficit reduction and to strengthen the Federal Hospital Insurance Trust Fund. **Page 5229**

By 37 yeas to 63 nays (Vote No. 79), Dayton Amendment No. 202, to provide full funding for the Individuals with Disabilities Education Act (IDEA) part B grants over five years. **Page 5233**

Pryor Amendment No. 213, to increase funding for the Low-Income Home Energy Assistance Program. **Page 5235**

Withdrawn:

Allen Modified Amendment No. 197, to increase by $1,582,700,000 over fiscal years 2006 through 2010 funding for Transportation (budget function 400) with the amount of the increase intended to be allocated to the Vehicle Systems account of the National Aeronautics and Space Administration for subsonic and hypersonic aeronautics research. **Pages 5167, 5232**

National Asbestos Awareness Day: Committee on the Judiciary was discharged from further consideration of S. Res. 43, designating the first day of April 2005 as "National Asbestos Awareness Day", and the resolution was then agreed to, after agreeing to the following amendment proposed thereto: **Page 5386**

Frist Amendment No. 264, to amend the preamble. **Page 5386**

Leaking Underground Storage Tank Trust Fund: Senate passed H.R. 1270, to amend the Internal Revenue Code of 1986 to extend the Leaking Underground Storage Tank Trust Fund financing rate, clearing the measure for the President. **Page 5386**

Financial Literary Month: Senate agreed to S. Res. 88, designating April 2005 as "Financial Literacy Month". **Page 5386**

Montana Future Farmers of America: Senate agreed to S. Res. 89, congratulating the Montana FFA on its 75th Anniversary and celebrating the achievements of Montana FFA members. **Page 5387**

Holocaust Commemoration Week: Senate agreed to S. Res. 90, to designating the Week of May 1, 2005, as "Holocaust Commemoration Week". **Page 5387**

Arms Export Embargo on China: Senate agreed to S. Res. 91, urging the European Union to maintain its arms export embargo on the People's Republic of China. **Page 5388**

Concurrent Budget Resolution: A unanimous-consent agreement was reached providing that when the Senate receives H. Con. Res. 95 from the House, a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal years 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010, the Senate begin its consideration; that all after the resolving clause be stricken and the text of S. Con. Res. 18, Concurrent Budget Resolution, as agreed to be inserted in lieu thereof; that the resolution then be agreed to as amended, the Senate insist on its amendment, request a conference with the House thereon, and the Chair be authorized to appoint conferees on the part of the Senate. **Page 5266**

Authorizing Leadership to Make Appointments—Agreement: A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate, the President of the Senate, the President Pro Tempore, and the Majority and Minority Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate. **Page 5385**

Authority for Committees: A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate, all committees were authorized to file legislative and executive matters on Wednesday, March 30, 2005, between the hours of 10 a.m. and 12 noon. **Page 5386**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that during this adjournment of the Senate, the Majority Leader, Assistant Majority Leader and Senator Warner, to be authorized to sign duly enrolled bills or joint resolutions. **Page 5389**

Appointments:

United States Holocaust Memorial Council: The Chair, on behalf of the President pro tempore, pursuant to Public Law 96–388, as amended by Public Law 97–84 and Public Law 106–292, appointed the following Senators to the United States Holocaust Memorial Council: Senators Feingold and Lautenberg. **Page 5389**

Nominations Confirmed: Senate confirmed the following nominations:

George M. Dennison, of Montana, to be a Member of the National Security Education Board for a term of four years.

James William Carr, of Arkansas, to be a Member of the National Security Education Board for a term of four years.

Harold Damelin, of Virginia, to be Inspector General, Department of the Treasury.

David B. Balton, of the District of Columbia, for the rank of Ambassador during his tenure of service as Deputy Assistant Secretary of State for Oceans and Fisheries.

Joseph R. DeTrani, of Virginia, for the rank of Ambassador during his tenure of service as Special Envoy for the Six Party Talks.

John Thomas Schieffer, of Texas, to be Ambassador to Japan.

Kiron Kanina Skinner, of Pennsylvania, to be a Member of the National Security Education Board for a term of four years.

R. Nicholas Burns, of Massachusetts, to be an Under Secretary of State (Political Affairs).

C. David Welch, of Virginia, to be an Assistant Secretary of State (Near Eastern Affairs).

Jeffrey Clay Sell, of Texas, to be Deputy Secretary of Energy.

Christopher R. Hill, of Rhode Island, to be an Assistant Secretary of State (East Asian and Pacific Affairs).

Rudolph E. Boschwitz, of Minnesota, for the rank of Ambassador during his tenure of service as Representative of the United States of America on the Human Rights Commission of the Economic and Social Council of the United Nations.

35 Air Force nominations in the rank of general.

37 Army nominations in the rank of general.

2 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Marine Corps, Navy. **Pages 5384, 5392**

Nominations Received: Senate received the following nominations:

Joseph H. Boardman, of New York, to be Administrator of the Federal Railroad Administration.

John Robert Bolton, of Maryland, to be the Representative of the United States of America to the United Nations, with the rank and status of Ambassador, and the Representative of the United States of America in the Security Council of the United Nations.

John Robert Bolton, of Maryland, to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations during his tenure of service as Representative of the United States of America to the United Nations.

Stephen L. Johnson, of Maryland, to be Administrator of the Environmental Protection Agency.

John D. Negroponte, of New York, to be Director of National Intelligence.

Routine lists in the Air Force, Army, Marine Corps. **Page 5392**

Messages From the House: **Page 5287**

Measures Referred: **Page 5287**

Measures Read First Time: **Page 5288**

Executive Communications: **Page 5288**

Petitions and Memorials: **Page 5288**

Executive Reports of Committees: **Page 5288**

Additional Cosponsors: **Page 5291**

Statements on Introduced Bills/Resolutions: **Page 5294**

Additional Statements: **Page 5285**

Amendments Submitted: **Page 5371**

Notices of Hearings/Meetings: **Page 5383**

Authority for Committees to Meet: **Page 5383**

Privilege of the Floor: **Page 5383**

Record Votes: Twenty-five record votes were taken today. (Total—81) **Pages 5211–18, 5222, 5224–25, 5227–29, 5234, 5237, 5259**

Adjournment: Senate convened at 9 a.m., and adjourned at 11:48 p.m., until 4 p.m., on Monday, March 21, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 5391.)

Committee Meetings

NATIONAL SECURITY THREATS

Committee on Armed Services: Committee concluded open and closed hearings to examine current and future worldwide threats to the national security of the United States, after receiving testimony from Porter J. Goss, Director of Central Intelligence; and Vice Admiral Lowell E. Jacoby, USN, Director, Defense Intelligence Agency, Department of Defense.

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported the nominations of John Paul Woodley, Jr., of Virginia, to be an Assistant Secretary of the Army, James William Carr, of Arkansas, George M. Dennison, of Montana, and Kiron Kanina Skinner, of Pennsylvania, each to be a Member of the National Security Education Board, Anthony Joseph Principi, of California, to be a Member of the Defense Base Closure and Realignment Commission, and 5,664 nominations in the Air Force, Army, Navy and Marine Corps.

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported an original bill entitled "The Federal Public Transportation Act of 2005".

COAST GUARD BUDGET

Committee on Commerce, Science, and Transportation: Subcommittee on Oceans, Fisheries and Coast Guard concluded a hearing to examine the President's proposed budget request for fiscal year 2006 for the Coast Guard Operational Readiness/Mission Balance, after receiving testimony from Admiral Thomas H. Collins, Commandant, and Master Chief Petty Officer Franklin A. Welch, both of the United States Coast Guard, Department of Homeland Security; and Margaret T. Wrightson, Director, Homeland Security and Justice Issues, Government Accountability Office.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the nomination of Daniel R. Levinson, of Maryland, to be Inspector General, Department of Health and Human Services.

NOMINATION

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine the nomination of Lester M. Crawford, of Maryland, to be Commissioner of Food and Drugs, Department of Health and Human Services.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 188, to amend the Immigration and Nationality Act to authorize appropriations for fiscal years 2005 through 2011 to carry out the State Criminal Alien Assistance Program;

S. 589, to establish the Commission on Freedom of Information Act Processing Delays; and

The nominations of William Gerry Myers III, of Idaho, to be United States Circuit Judge for the Ninth Circuit, Paul A. Crotty, to be United States District Judge for the Southern District of New York, and J. Michael Seabright, to be United States District Judge for the District of Hawaii.

Also, committee announced the following subcommittee assignments:

Subcommittee on Administrative Oversights and the Courts: Senators Sessions (Chairman), Specter, Grassley, Kyl, Schumer, Feinstein, and Feingold.

Subcommittee on Antitrust, Competition Policy and Consumer Rights: Senators DeWine (Chairman), Specter, Hatch, Grassley, Graham, Brownback, Kohl, Leahy, Biden, Feingold, and Schumer.

Subcommittee on Constitution, Civil Rights and Property Rights: Senators Brownback (Chair), Specter, Graham, Cornyn, Coburn, Feingold, Kennedy, Feinstein, and Durbin.

Subcommittee on Corrections and Rehabilitations: Senators Coburn (Chairman), Specter, Sessions, Cornyn, Brownback, Durbin, Leahy, Biden, and Feingold.

Subcommittee on Crime and Drugs: Senators Graham (Chairman), Grassley, Kyl, DeWine, Sessions, Coburn, Biden, Kohl, Feinstein, Feingold, and Schumer.

Subcommittee on Immigration, Border Security and Citizenship: Senators Cornyn (Chairman), Grassley, Kyl, DeWine, Sessions, Brownback, Coburn, Kennedy, Biden, Feinstein, Feingold, Schumer, and Durbin.

Subcommittee on Intellectual Property: Senators Hatch (Chairman), Kyl, DeWine, Graham, Cornyn, Brownback, Coburn, Leahy, Kennedy, Biden, Feinstein, Kohl, and Durbin.

Subcommittee on Terrorism, Technology and Homeland Security: Senators Kyl (Chairman), Hatch, Grassley, Cornyn, DeWine, Sessions, Graham, Feinstein, Kennedy, Biden, Kohl, Feingold and Durbin.

VETERANS

Committee on Veterans' Affairs: Committee concluded a hearing to examine the report entitled, "Back from the Battlefield: Are we providing the proper care for America's Wounded Warriors?", after receiving testimony from Jonathan B. Perlin, Acting Under Secretary of Veterans Affairs for Health; Major General Kenneth L. Farmer, Jr., Commanding General, North Atlantic Regional Medical Command and Walter Reed Army Medical Center, United States Army; Cynthia A. Bascetta, Director, Health Care—Veterans', Health and Benefits Issues, Government Accountability Office; Major Tammy Duckworth, United States Army National Guard; Joseph J. Costello, Vista Vet Center, Vista, California; and David J. Hosking, Vet Center, Madison, Wisconsin.

House of Representatives

Chamber Action

Measures Introduced: 96 public bills, H.R. 1356–1451; and 34 resolutions, H.J. Res. 38–39; H. Con. Res. 103–120, and H. Res. 167–180, were introduced. **Page 5158**

Additional Cosponsors: **Page 5164**

Reports Filed: Report were filed today as follows:

H. Con. Res. 53, expressing the sense of the Congress regarding the issuance of the 500,000th design patent by the United States Patent and Trademark Office (H. Rept. 109–22);

H.R. 683, to amend the Trademark Act of 1946 with respect to dilution by blurring or tarnishment, amended (H. Rept. 109–23);

H.R. 1038, to amend title 28, United States Code, to allow a judge to whom a case is transferred to retain jurisdiction over certain multidistrict litigation cases for trial (H. Rept. 109–24);

H.R. 366, to amend the Carl D. Perkins Vocational and Technical Education Act of 1998 to strengthen and improve programs under that Act, amended (H. Rept. 109–25); and

H.R. 185, to require the review of Government programs at least once every 5 years for purposes of evaluating their performance (H. Rept. 109–26) **Page 5158**

Budget Resolution for Fiscal Year 2006: The House passed H. Con. Res. 95, establishing the congressional budget for the United States Government for fiscal year

2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010, by a yea-and-nay vote of 218 yeas to 214 nays, Roll No. 88. The bill was also considered yesterday, March 16. **Pages 5092, 5106**

Agreed by unanimous consent that a final period of general debate be in order at the conclusion of consideration of amendments. **Page 5106**

Yesterday it was agreed that during further consideration of the bill, the Hensarling amendment (No. 2 printed in H. Rept. 109–19) may be considered out of the specified order.

Rejected:

Obey amendment, No. 1 printed in H. Rept. 109–19, that increases $15.8 billion in FY06 new BA and outlays for veterans, education, health care needs, homeland security, the environment and infrastructure; and reduces the FY06 tax benefit for those earning more than $1 million; (by a recorded vote of 180 ayes to 242 noes, Roll No. 82); **Page 5092**

Debated Wednesday, March 16: Hensarling amendment in the nature of a substitute (Republican Study Committee), No. 2 printed in H. Rept 109–19, that replaces the current 19 functional categories with four functions: Defense, Homeland Security, Non-Defense Discretionary and Mandatory Spending, and Interest; and accepts the Iraq Operations Reserve Fund and creates a new "rainy day" fund for non-military emergencies (by a recorded vote of 102 ayes to 320 noes, Roll No. 83). **Page 5098**

Watt amendment in the nature of a substitute (Congressional Black Caucus), No. 3 printed in H. Rept. 109–19, that calls for an additional $36.3 billion in spending and a $4 billion deficit reduction for FY 2006 (by a recorded vote of 134 ayes to 292 noes and 3 voting "present", Roll No. 85); **Page 5106**

Spratt amendment in the nature of a substitute, No. 4 printed in H. Rept. 109–19, that projects spending and revenue levels that would eliminate deficits and result in a balanced budget by FY 2012 (by a recorded vote of 165 ayes to 264 noes with 1 voting "present", Roll No. 87); **Page 5120**

Motion to rise: Rejected the Blumenauer motion that the Committee rise by a recorded vote of 101 ayes, to 313 noes and 1 voting "present", Roll No. 86. **Page 5119**

H. Res. 154, the rule providing for consideration of the measure was agreed to yesterday, March 16.

Suspensions—Proceedings Postponed: The House agreed to suspend the rules and pass the following measures which were debated yesterday, March 16:

Expressing concern regarding the occupation of the Republic of Lebanon by the Syrian Arab Republic: H. Con. Res. 32, amended, expressing the grave concern of Congress regarding the occupation of the Republic of Lebanon by the Syrian Arab Republic, by a ⅔ yea-and-nay vote of 419 yeas to 1 nay and 4 voting "present", Roll No. 84; and **Page 5105**

Agreed to amend the title so as to read: concurrent resolution expressing the grave concern of Congress regarding the occupation of the Lebanese Republic by the Syrian Arab Republic. **Page 5106**

Expressing concern regarding the continued violations of human rights and civil liberties of the Syrian and Lebanese people by the Government of the Syrian Arab Republic: H. Con. Res. 18, amended, expressing the grave concern of Congress regarding the continuing gross violations of human rights and civil liberties of the Syrian and Lebanese people by the Government of the Syrian Arab Republic, by a ⅔ yea-and-nay vote of 402 yeas to 3 nays, Roll No. 89. **Page 5142**

Spring District Work Period: The House agreed to H. Con. Res. 103, providing for a conditional adjournment of the House and a conditional recess or adjournment of the Senate. **Page 5143**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, April 6. **Page 5143**

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at 2 p.m. on Monday, March 21, unless it sooner has received a message from the Senate transmitting its concurrence in H. Con. Res. 103, in which case the House shall stand adjourned pursuant to that concurrent resolution. **Page 5143**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Wolf, or if not able to perform this duty, Representative Tom Davis (VA) to sign enrolled bills and joint resolutions through April 5. **Page 5144**

Quorum Calls—Votes: Three yea-and-nay votes and five recorded votes developed during the proceedings of today and appear on pages 5097, 5104–06, 5119–20, 5131, and 5142–43. There were no quorum calls.

Adjournment: The House met at 10 a.m. and at 6:15 p.m., pursuant to the provisions of H. Con. Res. 103, it stands adjourned until 2 p.m. on Monday, March 21, unless it sooner has received a message from the Senate transmitting its adoption of the concurrent resolution, in which case the House shall stand adjourned until 2 p.m. on Tuesday, April 5, 2005.

Committee Meetings

AGRICULTURE, RURAL DEVELOPMENT, FDA AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on Under Secretary for Rural Development. Testimony was heard from Gilbert

Gonzalez, Acting Under Secretary, Rural Development, USDA.

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense held a hearing on Air Force Posture. Testimony was heard from the following officials of the Department of the Air Force: Peter B. Teets, Acting Secretary; and GEN John P. Jumper, Chief of Staff.

The Subcommittee also met in executive session to hold a hearing on Air Force Acquisition. Testimony was heard from the following officials of the Department of the Air Force: Peter B. Teets, Acting Secretary; and LTG John D.W. Corley, Principal Deputy Assistant Secretary, Acquisitions.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS

Committee on Appropriations: Subcommittee on the Department of Homeland Security held a hearing on Citizenship and Immigration Services. Testimony was heard from Eduardo Aguirro, Jr., Director, Bureau of Citizenship and Immigration Services, Department of Homeland Security.

DEPARTMENT OF LABOR, HHS, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on the Department of Labor, Health and Human Services, Education, and Related Agencies held a hearing on the Secretary of Labor. Testimony was heard from Elaine L. Chao, Secretary of Labor.

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HUD, JUDICIARY, D.C., AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and Independent Agencies held a hearing on the Secretary of Housing and Urban Development. Testimony was heard from Alphonso R. Jackson, Secretary of Housing and Urban Development.

INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held a hearing on Bureau of Indian Affairs. Testimony was heard from James Casen, Assistant Deputy Secretary, Bureau of Indian Affairs, Department of the Interior.

SCIENCE, THE DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Science, the Departments of State, Justice, Commerce, and Related Agencies held a hearing on the SBA. Testimony was heard from Hector V. Barreto, Administrator, SBA.

The Subcommittee also held a hearing on the Federal Prison System. Testimony was heard from Harley G. Lappin, Director, Bureau of Prisons, Department of Justice.

IRAQ—CURRENT OPERATIONS AND POLITICAL TRANSITION

Committee on Armed Services: Held a hearing on current operations and the political transition in Iraq. Testimony was heard from public witnesses.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST FOR FISCAL YEAR 2006

Committee on Armed Services: Subcommittee on Terrorism, Unconventional Threats and Capabilities held a hearing on the Fiscal Year 2006 National Defense Authorization budget request—United States Special Operations Command policy and programs. Testimony was heard from officials of the Department of Defense: Thomas W. O'Connell, Assistant Secretary, Special Operations/Low Intensity Conflict; and GEN Bryan D. Brown, USA, Commander, U.S. Special Operations Command.

HIGHER EDUCATION—TRACKING INTERNATIONAL STUDENTS

Committee on Education and the Workforce: Subcommittee on 21st Century Competitiveness and the Subcommittee on Select Education held a joint hearing entitled "Tracking International Students in Higher Education: A Progress Report." Testimony was heard from Victor X. Cerda, Counsel to the Assistant Secretary, Immigration and Customs Enforcement, Department of Homeland Security; Stephen A. Edson, Managing Director, Visa Services Directorate, Bureau of Consular Affairs, Department of State; Randolph C. Hite, Director, Information Technology Architecture and Systems Issues, GAO; and public witnesses.

NIH PORTFOLIO MANAGEMENT

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled "Setting the Path for Reauthorization: Improving Portfolio Management at the NIH." Testimony was heard from Elias Zerhouni, M.D., Director, NIH, Department of Health and Human Services.

SECURITIES ARBITRATION SYSTEM

Committee on Financial Services: Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises held a hearing entitled "A Review of the Securities Arbitration System." Testimony was heard from William Francis Galvin, Secretary, MA; and public witnesses.

DEPOSIT INSURANCE REFORM ACT

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing on H.R. 1185, Deposit Insurance Reform Act of 2005. Testimony was heard from Donald E. Powell, Chairman, FDIC.

STEROID USE IN BASEBALL

Committee on Government Reform: Held a hearing entitled "Restoring Faith in America's Pastime: Evaluating Major League Baseball's Efforts to Eradicate Steroid Use." Testimony was heard from Senator Bunning; Nora D. Volkow, M.D., Director, National Institute on Drug Abuse, NIH, Department of Health and Human Services; the following officials of Major League Baseball: Allan H. Selig, Commissioner; and Elliott J. Pellman, M.D., Medical Advisor for Major League Baseball, Office of the Commissioner; Sandy Alderson, Executive Vice President of Baseball Operations, Major League Baseball; the following Major League Baseball baseball players: Curt Schilling, Frank Thomas, Sammy Sosa, and Rafael Palmeiro; and the following former Major League baseball players: Jose Canseco and Mark McGuire.

AFGHANISTAN—U.S. COUNTERNARCOTICS POLICY

Committee on International Relations: Held an oversight hearing on U.S. Counternarcotics Policy in Afghanistan: Time for Leadership. Testimony was heard from Maureen E. Quinn, Coordinator on Afghanistan, Department of State; Mary Beth Long, Deputy Assistant Secretary, Counternarcotics, Department of Defense, and Michael A. Braun, Special Agent, Chief of Operations, DEA, Department of Justice.

HUMAN RIGHTS—GLOBAL VIEW

Committee on International Relations: Subcommittee on Africa, Global Human Rights and International Operations held an oversight hearing on A Global Review of Human Rights: Examining the State Department's 2004 Annual Report. Testimony was heard from Michael G. Kozak, Acting Assistant Secretary, Bureau of Democracy, Human Rights and Labor, Department of State; and public witnesses.

OVERSIGHT—U.N. AND THE FIGHT AGAINST TERRORISM

Committee on International Relations: Subcommittee on International Terrorism and Nonproliferation held an oversight hearing on the United Nations and the Fight Against Terrorism. Testimony was heard from public witnesses.

The Subcommittee also held a briefing on this subject. Testimony was heard from Stephen J. Stedman, Special Advisor to Secretary-General United Nations.

OVERSIGHT—U.N. OIL-FOR-FOOD PROGRAM

Committee on International Relations: Subcommittee on Oversight and Investigations held an oversight hearing on The United Nations Oil-for-Food Program: The Cotecna and Saybolt Inspection Firms. Testimony was heard from public witnesses.

CHILD INTERSTATE ABORTION NOTIFICATION ACT; OVERSIGHT—U.S. COMMISSION ON CIVIL RIGHTS

Committee on the Judiciary: Subcommittee on the Constitution approved for full Committee action, as amended, H.R. 748, Child Interstate Abortion Notification Act.

The Subcommittee also held an oversight hearing on the U.S. Commission on Civil Rights. Testimony was heard from the following officials of the U.S. Commission Civil Rights: Russell Redenbaugh, and Michael Yaki, both Commissioners; Kenneth Marcus, Staff Director; and George Harbison, Director, Human of Resources and Active Chief of Budget and Finance.

OVERSIGHT—PATENT APPEALS

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property held an oversight hearing on Holmes Group, the Federal Circuit, and the State of Patent Appeals. Testimony was heard from public witnesses.

STOP COUNTERFEITING IN MANUFACTURED GOODS ACT; ORGANIZED CRIME

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security approved for full Committee action H.R. 32, Stop Counterfeiting in Manufactured Goods Act.

The Subcommittee also held an oversight hearing on Responding to Organized Crimes Against Manufacturers and Retailers. Testimony was heard from Chris Swecker, Assistant Director, Criminal Investigative Division, FBI, Department of Justice; and public witnesses.

OVERSIGHT—OFF RESERVATION GAMING RESTRICTIONS

Committee on Resources: Held an oversight hearing on a measure to amend the Indian Gaming Regulatory Act to restrict off-reservation gaming. Testimony was heard from public witnesses.

OVERSIGHT—NATIONAL PARK SERVICE BUDGET

Committee on Resources: Subcommittee on National Parks held an oversight hearing on the Fiscal Year 2006 National Park Service Budget. Testimony was heard from Fran Mainella, Director, National Park Service, Department of the Interior.

MISCELLANEOUS MEASURES

Committee on Science: Ordered reported the following measures: H.R. 1023, Charles "Pete" Conrad Astronomy Awards Act; H.R. 1158, To reauthorize the Steel and Aluminum Energy Conservation and Technology Competitiveness Act of 1988; H.R. 28, amended, High-Performance Computing Revitalization Act of 2005; H. Con. Res. 96, amended, Recognizing the significance of African American women in the United States scientific community; and H.R. 798, amended, Methamphetamine Remediation Research Act of 2005.

NATURAL GAS PRICES

Committee on Small Business: Subcommittee on Rural Enterprise, Agriculture and Technology held a hearing entitled "The High Price of Natural Gas and its Impact on Small Businesses: Issues and Short Term Solutions." Testimony was heard from Representative Terry; and public witnesses.

OVERSIGHT—COMMUNITY ECONOMIC DEVELOPMENT

Committee on Transportation and Infrastructure: Subcommittee on Economic Development, Public Buildings and Emergency Management held an oversight hearing on The Administration's "Strengthening America's Communities" Initiative and its impact on economic development. Testimony was heard from David A. Sampson, Assistant Secretary, Economic Development, Department of Commerce; and public witnesses.

MEDICAL IMAGING SERVICES

Committee on Ways and Means: Subcommittee on Health held a hearing on Managing the Use of Imaging Services. Testimony was heard from Mark Miller, Executive Director, Medicare Payment Advisory Commission; and public witnesses.

GLOBAL UPDATES; BUDGET HEARING

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on Global Updates. Testimony was heard from departmental witnesses.

The Committee also met in executive session to hold a hearing on the Budget. Testimony was heard from departmental witnesses.

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Saturday, March 19, 2005

Senate

Chamber Action

Routine Proceedings, pages 5444–45

Measures Passed:

Adjournment Resolution: Senate agreed to H. Con. Res. 103, providing for a conditional adjournment or recess of the two Houses. **Page 5444**

Measures Placed on Calendar: **Page 5444**

Enrolled Bills Presented: **Page 5445**

Additional Cosponsors: **Page 5445**

Adjournment: Senate convened at 6:16 p.m., pursuant to the authority granted by the Senate Resolution 296 of the 108th Congress, the Majority and Democratic Leaders of the Senate acting jointly, have determined that circumstances warrant a convening of the Senate at this time, notwithstanding the order of March 17, 2005, and adjourned at 6:22 p.m., until 2 p.m., on Sunday, March 20, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 5445.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session.

Committee Meetings

DEPARTMENT OF LABOR, HHS, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: On March 18, the Subcommittee on the Department of Labor, Health and Human Services, Education, and Related Agencies held a hearing on Quality Teachers, Principals and High Schools. Testimony was heard from the following officials of the Department of Education: Raymond Simon, Assistant Secretary, Elementary and Secondary Education; and Susan Sclafani, Assistant Secretary, Vocational and Adult Education.

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HUD, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: On March 18, the Subcommittee on the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia and Independent Agencies held a hearing on the Secretary of Transportation. Testimony was heard from Norman Y. Mineta, Secretary of Transportation.

DOE NUCLEAR FACILITIES—SECURITY INITIATIVES

Committee on Energy and Commerce: On March 18, the Subcommittee on Oversight and Investigations held a hearing entitled "A Review of Security Initiatives at DOE Nuclear Facilities." Testimony was heard from the officials of the Department of Energy: Linton Brooks, Administrator, National Nuclear Security Administration; Glenn S. Podonsky, Director, Office of Security and Safety Performance Assurance; and Peter Nanos, Director, Los Alamos National Laboratory; and a public witness.

Sunday, March 20, 2005

Senate

Chamber Action

Routine Proceedings, pages *5483–96*

Measures Introduced: Two bills and three resolutions were introduced, as follows: S. 686–687, S. Res. 92, and S. Con. Res. 23–24. **Page 5489**

Measures Passed:

Private Relief: Senate passed S. 686, for the relief of the parents of Theresa Marie Schiavo. **Page 5483**

Adjournment Resolution: Senate agreed to S. Con. Res. 23, providing for a conditional adjournment or recess of the Senate, and a conditional adjournment of the House of Representatives. **Page. 5487**

Congressional Record—Agreement: A unanimous-consent agreement was reached providing that, notwithstanding the adjournment of the Senate, the Congressional Record remain open for statements only on Monday, March 21, 2005, from 11 a.m. until 5 p.m. **Page 5486**

Messages From the House: **Page 5489**

Measures Referred: **Page 5489**

Statements on Introduced Bills/Resolutions: **Page 5489**

Additional Statements: **Page 5488**

Adjournment: Senate convened at 2 p.m., and adjourned at 4:40 p.m., until 9:30 a.m., on Monday, March 21, 2005, unless the House of Representatives adopts S. Con. Res. 23, Adjournment Resolution, at which time the Senate will then be in adjournment until 2 p.m., on Monday, April 4, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 5496.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Measures Introduced: 3 public bills, H.R. 1452–1454, were introduced. **Page 5482**

Additional Cosponsors: **Page 5482**

Reports Filed: Reports were filed today as follows:

H. Res. 181, waiving a requirement of clause 6(a) of rule XIII with respect to the same day consideration of certain resolutions reported by the Committee on Rules (H. Rept. 109–27); and

H. Res. 182, providing for consideration of S. 686, for the relief of the parents of Theresa Marie Schiavo (H. Rept. 109–28). **Page 5482**

Chaplain: The prayer was offered today by Rev. Dr. Ronald F. Christian, Pastor, Evangelical Lutheran Church in America in Fairfax, Virginia. **Page 5446**

Clerk Messages: Read letters from the Clerk notifying the House that he received messages from the Senate. **Page 5446**

Notification of Reassembly: Read the text of the formal notification sent to Members on Saturday, March 19, 2005, of the reassembling of the House. **Page 5446**

Recess: The House recessed at 1:04 p.m. and reconvened at 5:05 p.m. **Page 5446**

Consideration of Suspensions: Agreed by unanimous consent that the Speaker may decline to entertain a motion to adjourn until after disposition of the motion to suspend the rules described in this order; that it be in order at any time on Sunday, March 20, for the Speaker to entertain a motion that the House suspend the rules with respect to S. 686; and that such motion be debatable for three hours. **Page 5446**

Recess: The House recessed at 5:10 p.m. and reconvened at 9 p.m. **Page 5447**

Suspensions: The House agreed to suspend the rules and pass the following measure:

For the relief of the parents of Theresa Marie Schiavo: S. 686, for the relief of the parents of Theresa Marie Schiavo, by a ⅔ yea-and-nay vote of 203 yeas to 58 nays, Roll No. 90—clearing the measure for the President. **Page 5447**

District Work Period: The House agreed to S. Con. Res. 23, providing for a conditional adjournment of the House and a conditional recess or adjournment of the Senate. **Page 5481**

Senate Referral: S. 653 was referred to the Committee on the Judiciary. **Page 5481**

Quorum Calls—Votes: One yea-and-nay vote developed during the proceedings of today and appears on page 5480. There were no quorum calls.

Adjournment: The House met at 1 p.m. and at 12:46 a.m. on Monday, March 21, pursuant to the provisions of S. Con. Res. 23, it stands adjourned until 2 p.m. on Tuesday, April 5, 2005.

Committee Meetings

SAME DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE RULES COMMITTEE

Committee on Rules: Granted, by voice vote, a rule waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same date it is reported from the Rules Committee) against certain resolutions reported by the Rules Committee. The rule applies the waiver to any special rule on or before the legislative day of April 5, 2005, providing for consideration of a bill relating to the rights of an incapacitated person or persons.

FOR THE RELIEF OF THE PARENTS OF THERESA MARIE SCHIAVO

Committee on Rules: Granted, by voice vote, a closed rule providing ten minutes of debate in the House on S. 686, for the relief of the parents of Theresa Marie Schiavo, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the bill. Finally, the rule provides one motion to recommit.

◆◆◆◆◆◆◆◆◆◆◆◆

Monday, April 4, 2005

Senate

Chamber Action

Routine Proceedings, pages 5502–51

Measures Introduced: Eight bills and two resolutions were introduced, as follows: S. 688–695, S. Res. 93–94. **Page 5536**

Measures Reported:

Received on Wednesday, March 30, during the adjournment:

Special Report entitled "Activities of the Committee on Finance of the United States Senate during the 108th Congress". (S. Rept. No. 109–48)

Special Report entitled "Summary of Legislative and Oversight Activities during the 108th Congress". (S. Rept. No. 109–49)

Special Report entitled "Legislative Activities Report of the Committee on Foreign Relations of the United States Senate during the One Hundred Eighth Congress". (S. Rept. No. 109–50)

S. 52, to direct the Secretary of the Interior to convey a parcel of real property to Beaver County, Utah. (S. Rept. No. 109–43)

S. 54, to amend the National Trails System Act to require the Secretary of the Interior to update the feasibility and suitability studies of four national historic trails, with amendments. (S. Rept. No. 109–44)

S. 56, to establish the Rio Grande Natural Area in the State of Colorado. (S. Rept. No. 109–45)

S. 101, to convey to the town of Frannie, Wyoming, certain land withdrawn by the Commissioner of Reclamation. (S. Rept. No. 109–46)

S. 128, to designate certain public land in Humboldt, Del Norte, Mendocino, Lake, and Napa Counties in the State of California as wilderness, to designate certain segments of the Black Butte River in Mendocino County, California as a wild or scenic river. (S. Rept. No. 109–47)

Report to accompany S. 667, to reauthorize and improve the program of block grants to States for temporary assistance for needy families, improve access to quality child care. (S. Rept. No. 109–51)

Measures Passed:

Concurrent Budget Resolution: Senate agreed to H. Con. Res. 95, establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010, after striking all after the resolving clause and inserting in lieu thereof the text of S. Con. Res. 18, Senate companion measure, as amended.

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Gregg, Domenici, Grassley, Allard, Conrad, Sarbanes, and Murray. **Page 5536**

Death of Senator Howell T. Heflin: Senate agreed to S. Res. 93, relative to the death of Howell T. Heflin, former United States Senator from the State of Alabama. **Page 5547**

Death of Pope—Agreement: A unanimous-consent agreement was reached providing that at 4:45 p.m., on Tuesday, April 5, 2005, Senate vote on a resolution relating to the death of the Holy Father, Pope John Paul II. **Page 5548**

Nominations Received: Senate received the following nominations:

Kenneth J. Krieg, of Virginia, to be Under Secretary of Defense for Acquisition, Technology, and Logistics.

David A. Sampson, of Texas, to be Deputy Secretary of Commerce.

Mark V. Rosenker, of Maryland, to be a Member of the National Transportation Safety Board for a term expiring December 31, 2010.

Ellen G. Engleman Conners, of Indiana, to be Chairman of the National Transportation Safety Board for a term of two years.

Sean Ian McCormack, of the District of Columbia, to be an Assistant Secretary of State (Public Affairs).

Suzanne C. DeFrancis, of Maryland, to be an Assistant Secretary of Health and Human Services.

Michael Dolan, of New York, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2009.

Robert M. Duncan, of Kentucky, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring June 10, 2009.

Philip J. Perry, of Virginia, to be General Counsel, Department of Homeland Security.

Linda M. Springer, of Pennsylvania, to be Director of the Office of Personnel Management for a term of four years.

Rachel Brand, of Iowa, to be an Assistant Attorney General.

Alice S. Fisher, of Virginia, to be an Assistant Attorney General.

Regina B. Schofield, of Virginia, to be an Assistant Attorney General.

40 Air Force nominations in the rank of general.

95 Army nominations in the rank of general.

4 Marine Corps nominations in the rank of general.

42 Navy nominations in the rank of admiral.

Routine lists in the Foreign Service, National Oceanic and Atmospheric Administration. **Page 5548**

Nominations Withdrawn: Senate received notification of withdrawal of the following nominations:

Claude M. Kicklighter, of Georgia, to be a Member of the Defense Base Closure and Realignment Commission, which was sent to the Senate on March 15, 2005. **Page 5551**

Messages From the House: **Page 5531**

Enrolled Bills Presented: **Page 5531**

Executive Communications: **Page 5531**

Additional Cosponsors: **Page 5536**

Statements on Introduced Bills/Resolutions: **Page 5538**

Additional Statements: **Page 5527**

Amendments Submitted: **Page 5547**

Notices of Hearings/Meetings: **Page 5547**

Authority for Committees to Meet: **Page 5547**

Adjournment: Senate convened at 2 p.m., and as a further mark of respect to the memory of the late Honorable Howell Heflin, former United States Senator from the State of Alabama, in accordance with S. Res. 93, adjourned at 7:17 p.m., until 9:45 a.m., on Tuesday, April 5, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 5548.)

Committee Meetings

DEFENSE AUTHORIZATION: NUCLEAR WEAPONS

Committee on Armed Services: Subcommittee on Strategic Forces concluded open and closed hearings to examine strategic forces and nuclear weapons issues in review of the Defense Authorization Request for fiscal year 2006, after receiving testimony from General James E. Cartwright, USMC, Commander, United States Strategic Command; and Ambassador Linton F. Brooks, Administrator, National Nuclear Security Administration, Department of Energy.

House of Representatives

Chamber Action

The House was not in session today. Pursuant to S. Con. Res. 23, the House stands adjourned until 2 p.m. on Tuesday, April 5.

Committee Meetings

No committee meetings were held.

Résumé of Congressional Activity

FIRST SESSION OF THE ONE HUNDRED NINTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 4 through March 31, 2005

	Senate	*House*	*Total*
Days in session	35	26	..
Time in session	243 hrs., 42′	164 hrs., 13′	..
Congressional Record:			
Pages of proceedings	3,112	1,735	..
Extensions of Remarks	..	519	..
Public bills enacted into law	2	4	6
Private bills enacted into law	1	..	..
Bills in conference	..	..	..
Bills through conference	..	..	..
Measures passed, total	78	118	196
Senate bills	9	3	..
House bills	3	27	..
Senate joint resolutions	1	..	..
House joint resolutions	..	1	..
Senate concurrent resolutions	6	4	..
House concurrent resolutions	9	22	..
Simple resolutions	50	61	..
Measures reported, total	*75	*28	103
Senate bills	55	..	..
House bills	..	10	..
Senate joint resolutions	..	..	..
House joint resolutions	..	..	..
Senate concurrent resolutions	1	..	..
House concurrent resolutions	..	2	..
Simple resolutions	19	16	..
Special reports	3	1	..
Conference reports	..	..	..
Measures pending on calendar	57	10	..
Measures introduced, total	805	1,795	2,600
Bills	678	1,454	..
Joint resolutions	11	39	..
Concurrent resolutions	24	120	..
Simple resolutions	92	182	..
Quorum calls	1	1	..
Yea-and-nay votes	81	52	..
Recorded votes	..	37	..
Bills vetoed	..	..	..
Vetoes overridden	..	..	..

* These figures include all measures reported, even if there was no accompanying report. A total of 51 reports have been filed in the Senate, a total of 29 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 5 through March 31, 2005

Civilian nominations, totaling 138, disposed of as follows:	
Confirmed	29
Unconfirmed	109
Other Civilian nominations, totaling 572, disposed of as follows:	
Confirmed	268
Unconfirmed	304
Air Force nominations, totaling 5,657, disposed of as follows:	
Confirmed	5,052
Unconfirmed	605
Army nominations, totaling 1,963, disposed of as follows:	
Confirmed	1,804
Unconfirmed	159
Navy nominations, totaling 146, disposed of as follows:	
Confirmed	138
Unconfirmed	8
Marine Corps nominations, totaling 1,289, disposed of as follows:	
Confirmed	1,226
Unconfirmed	63

Summary

Total nominations carried over from the first session	0
Total nominations received this session	9,765
Total confirmed	8,517
Total unconfirmed	1,248
Total withdrawn	0
Total returned to the White House	0

Tuesday, April 5, 2005

Senate

Chamber Action

Routine Proceedings, pages 5603–79

Measures Introduced: Seventeen bills and two resolutions were introduced, as follows: S. 696–712, and S. Res. 95–96. **Page 5461**

Measures Passed:

Death of Pope: By a unanimous vote of 98 yeas (Vote No. 82), Senate agreed to S. Res. 95, relating to the death of the Holy Father, Pope John Paul II. **Page 5630**

State Department Authorization: Senate began consideration of S. 600, to authorize appropriations for the Department of State and international broadcasting activities for fiscal years 2006 and 2007, for the Peace Corps for fiscal years 2006 and 2007, for foreign assistance programs for fiscal years 2006 and 2007, taking action on the following amendments proposed thereto: **Pages 5611, 5617, 5630**

Adopted:

Lugar Amendment No. 268, to permit grants to be used for broadcasting outside the Middle East region. **Page 5615**

Lugar Amendment No. 269, to limit the compensation paid to employees of the Middle East Broadcasting Networks. **Page 5615**

Lugar Amendment No. 270, to require payments from the Broadcasting Board of Governors for costs resulting from the creditable service of employees of the Middle East Broadcasting Networks. **Page 5615**

Lugar Amendment No. 271, to extend the United States Advisory Commission on Public Diplomacy until 2008. **Page 5615**

Lugar Amendment No. 272, to clarify Foreign Service Grievance Board procedures in the case of an alleged payment of an annuity. **Page 5615**

Lugar Amendment No. 273, to limit the availability of funds authorized for contributions for international peacekeeping activities. **Page 5615**

Subsequently, the Amendment was modified. **Page 5615**

Lugar Amendment No. 275, to require a determination to provide assistance for destruction of small arms and related ammunition. **Page 5615**

Lugar Amendment No. 276, to require a determination to provide assistance for the safeguarding, removal, or elimination of conventional weapons and related ammunition. **Page 5615**

Lugar (for Biden) Amendment No. 277, to waive the passport fees for a relative of a deceased member of the Armed Forces proceeding abroad to visit the grave of such member or to attend a funeral or memorial service for such member. **Page 5615**

Lugar Amendment No. 279, to strike section 207, entitled Transfer Authority For Buying Power Maintenance Account. **Page 5625**

Lugar (for Schumer) Amendment No. 280, to impose an economic sanction on foreign countries that owe parking fines and penalties or property taxes to Washington, D.C. or New York City. **Page 5626**

By 52 yeas to 46 nays (Vote No. 83), Boxer Amendment No. 278, to prohibit the application of certain restrictive eligibility requirements to foreign nongovernmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961. **Pages 5617, 5630**

Pending:

Lugar Amendment No. 266, to strike the amendment to the limitation on the United States share of assessments for the United Nations Peacekeeping operations. **Page 5613**

McCain/DeWine Amendment No. 267, to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Ukraine. **Page 5613**

Baucus Amendment No. 281, to facilitate the sale of United States agricultural products to Cuba, as authorized by the Trade Sanctions Reform and Export Enhancement Act of 2000. **Page 5626**

Craig/Roberts Amendment No. 282 (to Amendment No. 281), to clarify the payment terms under the Trade Sanctions Reform and Export Enhancement Act of 2000. **Page 5626**

Dodd Amendment No. 283, to express the sense of the Senate concerning recent provocative actions by the People's Republic of China. **Page 5631**

Dorgan/Wyden Amendment No. 284, to prohibit funds from being used for television broadcasting to Cuba. **Page 5631**

Biden Amendment No. 286 (in lieu of the language proposed to be stricken by Lugar Amendment No. 266), relative to the United States' share of assessment for United Nations Peacekeeping operations. **Page 5633**

During consideration of this measure today, the Senate also took the following action:

Lugar Amendment No. 274, to provide a short title, previously agreed to, which was then subsequently vitiated and withdrawn. **Pages 5615, 5626**

A unanimous-consent agreement was reached providing for further consideration of Biden Amendment No. 286 (listed above) with a vote to occur thereon at 10 a.m. **Page 5669**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on

Wednesday, April 6, 2005, and the time until 10 a.m. be equally divided. **Page 5669**

Escort Committee—Agreement: A unanimous-consent agreement was reached providing that the Presiding Officer of the Senate be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort Viktor Yushchenko, President of Ukraine, in to the House Chamber for the joint meeting on Wednesday, April 6, 2005. **Page 5669**

Appointments:

Mexico-U.S. Interparliamentary Group: The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276h–276k, as amended, appointed the following Senator as Chair of the Senate Delegation to the Mexico-U.S. Interparliamentary Group during the 109th Congress: Senator Cornyn. **Page 5636**

Executive Communications: **Page 5640**

Additional Cosponsors: **Page 5642**

Statements on Introduced Bills/Resolutions: **Page 5645**

Additional Statements: **Page 5639**

Amendments Submitted: **Page 5663**

Authority for Committees to Meet: **Page 5669**

Privilege of the Floor: **Page 5669**

Record Votes: Two record votes were taken today. (Total—83) **Pages 5630, 5631**

Adjournment: Senate convened at 9:45 a.m., and adjourned at 7:50 p.m., until 9:30 a.m., on Wednesday, April 6, 2005, p.m. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 5670.)

Committee Meetings

DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Personnel concluded a hearing to examine active component, reserve component, and civilian personnel programs in review of the Defense Authorization Request for fiscal year 2006, after receiving testimony from David S.C. Chu, Under Secretary of Defense for Personnel and Readiness; Lieutenant General Franklin L. Hagenbeck, USA, Deputy Chief of Staff for Personnel, United States Army; Vice Admiral Gerald L. Hoewing, USN, Chief of Naval Personnel, United States Navy; Lieutenant General H.P. Osman, USMC, Deputy Commandant for Manpower and Reserve Affairs, United States Marine Corps; Lieutenant General Roger A. Brady, USAF, Deputy Chief of Staff, Personnel, United States Air Force; Colonel Steven P. Strobridge, USAF (Ret.), Military Officers Association of America, on behalf of the Military Coalition, and Joyce Wessel Raezer, National Military Family Association, both of Alexandria, Virginia; and Deirder Parke Holleman, National Military and Veterans Alliance, Springfield, Virginia.

HIGHWAY AND TRANSPORTATION SAFETY

Committee on Commerce, Science, and Transportation: Subcommittee on Surface Transportation and Merchant Marine concluded a hearing to examine the reauthorization of the safety programs in the Transportation Equity Act for 21st Century (TEA–21), focusing on highway, motor carrier and hazardous materials transportation safety, and transportation of household goods, after receiving testimony from Kenneth M. Mead, Inspector General, Jeffrey W. Runge, Administrator, National Highway Traffic Safety Administration, Annette Sandberg, Administrator, Federal Motor Carrier Safety Administration, and Stacey L. Gerard, Acting Assistant Administrator/Chief Safety Officer, Pipeline and Hazardous Materials Safety Administration, all of the Department of Transportation.

CHARITABLE GIVING

Committee on Finance: Committee held a hearing to examine proposals for reform regarding charities and charitable giving, receiving testimony from George K. Yin, Chief of Staff, Joint Committee on Taxation; Jane G. Gravelle, Senior Specialist in Economic Policy, Congressional Research Service, Library of Congress; Mark W. Everson, Commissioner of Internal Revenue Service, Department of the Treasury; Minnesota Attorney General Mike Hatch, St. Paul; Richard Johnson, Waller Lansden Dortch and Davis, PLLC, Nashville, Tennessee; David Kuo, Beliefnet.com, New York, New York; Brian A. Gallagher, United Way of America, Alexandria, Virginia; and Diana Aviv, Independent Sector, Washington, D.C., and Leon E. Panetta, California State University Panetta Institute, Long Beach, both on behalf of the Panel on the Nonprofit Sector.

Hearing recessed subject to the call.

MEDICARE PRESCRIPTION DRUG BENEFIT

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce and the District of Columbia concluded a hearing to examine the Centers for Medicare and Medicaid Services implementation of the Medicare Prescription Drug, Improvement and Modernization Act of 2003, focusing on new Medicare Advantage (MA) plan options and voluntary Medicare prescription drug coverage, after receiving testimony from Mark B. McClellan, Administrator, Centers for Medicare and Medicaid Services, Department of Health and Human Services; Ann Womer Benjamin, Director, Ohio Department of Insurance, Columbus; and Marcia Marsh, Partnership for Public Service, Washington, D.C.

HEAD START

Committee on Health, Education, Labor, and Pensions: Subcommittee on Education and Early Childhood Development held a hearing to examine Head Start, focusing on ensuring dollars benefit children relating to the effectiveness of the oversight by the Department of Health and Human Services' Administration for Children and Families in identifying and resolving financial management weaknesses in Head Start grantees, after receiving testimony from Wade Horn, Assistant Secretary of Health and Human Services for the Administration for Children and Families; Marnie Shaul, Director, Educating and Protecting Children, Government Accountability Office; A.C. Wharton, Mayor of Shelby County, Memphis, Tennessee; Yvonne Gates, Center for Academic Enrichment and Outreach, Clark County, Nevada; Jim Caccamo, Metropolitan Council on Early Learning, Kansas City, Missouri; and Olivia Golden, Urban Institute, Washington, D.C.

Hearing recessed subject to the call.

LYTTON RANCHERIA TRIBAL LANDS STATUS

Committee on Indian Affairs: Committee held a hearing to examine S. 113, to modify the date as of which certain tribal land of the Lytton Rancheria of California is deemed to be held in trust, receiving testimony from Senator Feinstein; Representative George Miller; George T. Skibine, Acting Deputy Assistant Secretary of the Interior for Policy and Economic Development for Indian Affairs; California State Assemblymember Loni Hancock, Sacramento; Sharon J. Brown and Brock Arner, both of the City of San Pablo, San Pablo, California; Margie Mejia, Lytton Band of Pomo Indians, Santa Rosa, California; and Mark Macarro, Pechanga Band of Luiseno Mission Indians, Temecula, California.

Hearing recessed subject to the call.

USA PATRIOT ACT

Committee on the Judiciary: Committee concluded an oversight hearing to examine the implementation of the USA PATRIOT Act, focusing on renewing key provisions in the USA PATRIOT Act that have been integral in the Federal Government's prosecution of the war on terrorism, after receiving testimony from Alberto R. Gonzales, Attorney General, and Robert S. Mueller III, Director, Federal Bureau of Investigation, both of the Department of Justice.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Measures Introduced: 28 public bills, H.R. 1455–1482; 6 private bills, H.R. 1483–1488; and 11 resolutions, H.J. Res. 40; H. Con. Res. 121–123, and H. Res. 183–189, were introduced. **Page 5597**

Additional Cosponsors: **Page 5599**

Reports Filed: Reports were filed today as follows:

Report on Oversight Plans for All House Committees (H. Rept. 109–29); and

H. Res. 136, directing the Attorney General and the Secretary of Homeland Security to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resolution documents in the possession of those officials relating to the security investigations and background checks relating to granting access to the White House of James D. Guckert (also known as Jeff Gannon), adversely (H. Rept. 109–30). **Page 5597**

Joint Meeting to receive His Excellency Viktor Yushchenko, President of Ukraine: Agreed that it be in order at any time on Wednesday, April 6, for the Speaker to declare a recess, subject to the call of the Chair, for the purpose of receiving in Joint Meeting His Excellency Viktor Yushchenko, President of Ukraine. **Page 5554**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Commemorating the life of the late Zurab Zhvania: H. Res. 108, commemorating the life of the late Zurab Zhvania, Prime Minister of the Republic of Georgia, by a 2/3 yea-and-nay vote of 402 yeas with none voting "nay", Roll No. 91; **Pages 5556, 5563**

Commending the outstanding efforts of U.S. military and civilian workers in response to the earthquake and tsunami of December 26, 2004: H. Res. 120, commending the outstanding efforts by members of the Armed Forces and civilian employees of the Department of State and the United States Agency for International Development in response to the earthquake and tsunami of December 26, 2004, by a 2/3 yea-and-nay vote of 401 yeas with none voting "nay", Roll No. 92; and **Pages 5557, 5564**

Honoring the life and contributions of Yogi Bhajan: H. Con. Res. 34, honoring the life and contributions of Yogi Bhajan, a leader of Sikhs, and expressing condolences to the Sikh community on his passing, by a 2/3 yea-and-nay vote of 405 yeas with none voting "nay" and one voting "present", Roll No. 93. **Pages 5560, 5565**

Recess: The House recessed at 2:42 p.m. and reconvened at 6:31 p.m. **Page 5563**

Consideration of resolution honoring His Holiness Pope John Paul II—Order of Business: Agreed that it be in order at any time to consider a resolution honoring the life and achievements of His Holiness Pope John Paul II and expressing profound sorrow on his death; that the resolution shall be considered as read; that the resolution be debatable for one hour; and that the previous question shall be considered as ordered on the resolution and preamble to final adoption without intervening motion.
Page 5565

Senate Message: Message received from the Senate today appears on page 5554.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages 5563–65. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 10:52 p.m.

Committee Meetings

DEPARTMENT OF LABOR, HHS, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Department of Labor, Health and Human Services, Education and Related Agencies held a hearing on Employee Benefits Security Administration, on Employment Standards Administration, and on International Labor Affairs Bureau. Testimony was heard from the following officials of the Department of Labor: Ann Combs, Assistant Secretary, Employee Benefits Security Administration; Victoria Lipnic, Assistant Secretary, Employee Safety Administration; and Arnold Levine, Deputy Under Secretary, Bureau of International Labor Affairs.

HEAD START FINANCIAL MANAGEMENT

Committee on Education and the Workforce: Held a hearing entitled "Financial Accountability in the Head Start Early Childhood Program." Testimony was heard from Marnie S. Shaul, Director, Education Issues, Education, Workforce, and Income Security, GAO; Wade F. Horn, Assistant Secretary, Administration for Children and Families, Department of Health and Human Services; and public witnesses.

ENERGY POLICY ACT

Committee on Energy and Commerce: Began consideration of the Energy Policy Act of 2005.

Will continue tomorrow.

YUCCA MOUNTAIN PROJECT

Committee on Government Reform: Subcommittee on Federal Workforce and Agency Organization, hearing entitled "Yucca Mountain Project: Have Federal Employees Falsified Documents?" Testimony was heard from Senators Reid and Ensign; the following officials of the State of Nevada: Kenny C. Guinn, Governor; and Brian Sandoval, Attorney General; the following officials of the Department of the Interior: Charles G. Groat, Director, U.S. Geological Survey; and Earl E. Devaney, Inspector General; the following officials of the Department of Energy: Ted Garrish, Deputy Director, Office of Civilian Radioactive Waste Management; and Gregory H. Friedman, Inspector General; B. John Garrick, Chairman, U.S. Nuclear Waste Technical Review Board; and public witnesses.

BROWNFIELD SITES REDEVELOPMENT

Committee on Government Reform: Subcommittee on Federalism and the Census held a hearing entitled "Lands of Lost Opportunity: What Can Be Done to Spur Re-Development at America's Brownfield Sites." Testimony was heard from Thomas Dunne, Deputy Assistant Administrator, Office of Solid Waste and Emergency Response, EPA; John Stephenson, Director, Natural Resources and Environment, GAO; and public witnesses.

ASSESSING ANTHRAX DETECTION METHODS

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations held a hearing entitled "Assessing Anthrax Detection Methods." Testimony was heard from Keith Rhodes, Chief Technologist, Center for Technology and Engineering, Applied Research and Methods, GAO; Tanja Popovic, Associate Director, Science, Centers for Disease Control and Prevention, Department of Health and Human Services; the following officials of the Department of Defense: Klaus Schafer, Deputy Assistant Secretary, Chemical and Biological Defense; and John Jester, Director, Pentagon Force Protection Agency; Dana Tulis, Deputy Director, Office of Emergency Management, EPA; Thomas G. Day, Vice President, Engineering, U.S. Postal Service; from the following officials of the State of Virginia: James H. Schwartz, Chief, Arlington County Fire Department; and Michael P. Neuhard, Chief, Fairfax County Fire and Rescue Department; and public witnesses.

CRIME DETERRENCE AND COMMUNITY PROTECTION ACT

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held a hearing on H.R. 1279, Crime Deterrence and Community Protection Act of 2005. Testimony was heard from Patrick Fitzgerald, U.S. Attorney, Northern District of Illinois; and public witnesses.

Wednesday, April 6, 2005

Senate

Chamber Action

Routine Proceedings, pages 5784–5891

Measures Introduced: Twenty-six bills and five resolutions were introduced, as follows: S. 713–738, and S. Res. 97–101. **Page 5826**

Measures Reported:

H.R. 1268, Making emergency supplemental appropriations for the fiscal year ending September 30, 2005, to establish and rapidly implement regulations for State driver's license and identification document security standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, to ensure expeditious construction of the San Diego border fence, with an amendment in the nature of a substitute. (S. Rept. No. 109–52)

S. 732, to authorize funds to Federal aid highways, highway safety programs, and transit programs. (S. Rept. No. 109–53) **Page 5826**

Measures Passed:

Commending the University of North Carolina Men's Basketball Team: Senate agreed to S. Res. 98, commending the University of North Carolina men's basketball team for winning the 2005 National Collegiate Athletic Association Division I Men's Basketball Championship. **Page 5785**

Commending Patricia Sue Head Summitt: Senate agreed to S. Res. 97, commending Patricia Sue Head Summitt, head women's basketball coach at the University of Tennessee, for three decades of excellence as a proven leader, motivated teacher, and established champion. **Page 5785**

50th Anniversary of Salk Polio Vaccine: Senate agreed to S. Res. 101, recognizing the 50th anniversary of the development of the Salk polio vaccine and its importance in eradicating the incidence of polio. **Page 5889**

Honoring Sikh Leader Yogi Bhajan: Senate agreed to H. Con. Res. 34, honoring the life and contributions of Yogi Bhajan, a leader of Sikhs, and expressing condolences to the Sikh community on his passing. **Page 5889**

State Department Authorization: Senate continued consideration of S. 600, to authorize appropriations for the Department of State and international broadcasting activities for fiscal years 2006 and 2007, for the Peace Corps for fiscal years 2006 and 2007, for foreign assistance programs for fiscal years 2006 and 2007, taking action on the following amendments proposed thereto: **Pages 5786, 5813**

Adopted:

Lugar Amendment No. 266, to strike the amendment to the limitation on the United States share of assessments for the United Nations Peacekeeping operations. **Page 5788**

Dodd Amendment No. 318, to specify requirements under the Arms Export Control Act applicable to the VHXX Executive Helicopter Program (also known as the Marine One Presidential Helicopter Program). **Page 5803**

Rejected:

By 40 yeas to 57 nays (Vote No. 84), Biden Amendment No. 286 (in lieu of the language proposed to be stricken by Lugar Amendment No. 266), relative to the United States' share of assessment for United Nations Peacekeeping operations. **Page 5787**

Dorgan/Wyden Amendment No. 284, to prohibit funds from being used for television broadcasting to Cuba. (By 65 yeas to 35 nays (Vote No. 85), Senate tabled the amendment.) **Pages 5788, 5790**

Pending:

McCain/DeWine Amendment No. 267, to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Ukraine. **Page 5787**

Baucus Amendment No. 281, to facilitate the sale of United States agricultural products to Cuba, as authorized by the Trade Sanctions Reform and Export Enhancement Act of 2000. **Page 5787**

Craig/Roberts Amendment No. 282 (to Amendment No. 281), to clarify the payment terms under the Trade Sanctions Reform and Export Enhancement Act of 2000. **Page 5787**

Dodd Amendment No. 283, to express the sense of the Senate concerning recent provocative actions by the People's Republic of China. **Page 5787**

Salazar Amendment No. 308, to increase the accountability and effectiveness of international police training. **Page 5788**

Schumer Amendment No. 309, to authorize appropriate action if the negotiations with the People's Republic of China regarding China's undervalued currency are not successful. (By 33 yeas to 67 nays (Vote No. 86), Senate earlier failed to table the amendment.) **Pages 5790, 5796**

Ensign Amendment No. 319, to encourage multilateral cooperation and authorize a program of assistance to facilitate a peaceful transition in Cuba. **Page 5806**

Ensign Amendment No. 320, to amend chapter 118 of title 18, United States Code, to prohibit foreign war crimes prosecutions of Americans. **Page 5806**

Ensign Amendment No. 321, to ensure the independence of the Inspector General of the United Nations. **Page 5806**

Ensign Amendment No. 322, to ensure the United Nations maintains a no-growth budget. **Page 5806**

Sessions Amendment No. 290, to require aliens to affirm certain oaths prior to admission to the United States. Page 5808

Sessions Amendment No. 291, to strike the authority to provide living quarters and allowances to the United States Representative to the United Nations. Page 5808

Sessions Amendment No. 317, to provide for accountability in the United Nations Headquarters renovation project. Page 5808

Supplemental Appropriations—Agreement: A unanimous-consent agreement was reached providing that at 3 p.m., on Monday, April 11, 2005, Senate begin consideration of H.R. 1268, Making emergency supplemental appropriations for the fiscal year ending September 30, 2005, to establish and rapidly implement regulations for State driver's license and identification document security standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, to ensure expeditious construction of the San Diego border fence. Page 5888

Appointments:

Advisory Committee on the Records of Congress: The Chair announced, on behalf of the Secretary of the Senate, pursuant to Public Law 101–509, the appointment of Paul Gherman, of Tennessee, to the Advisory Committee on the Records of Congress. Page 5888

Advisory Committee on the Records of Congress: The Chair announced, on behalf of the Majority Leader, pursuant to Public Law 101–509, the re-appointment of Alan C. Lowe, of Tennessee, to the Advisory Committee on the Records of Congress. Page 5888

Nominations Confirmed: Senate confirmed the following nomination:

John B. Bellinger III, of Virginia, to be Legal Adviser of the Department of State. Pages 5889, 5891

Nominations Received: Senate received the following nominations:

Maria Cino, of Virginia, to be Deputy Secretary of Transportation.

Timothy D. Adams, of Virginia, to be an Under Secretary of the Treasury.

Air Force nomination in the rank of general.

Routine lists in the Air Force, Army, Navy. Page 5889

Messages From the House: Page 5824

Measures Placed on Calendar: Page 5824

Executive Communications: Page 5824

Additional Cosponsors: Page 5827

Statements on Introduced Bills/Resolutions: Page 5828

Additional Statements: Page 5822

Amendments Submitted: Page 5868

Notices of Hearings/Meetings: Page 5888

Record Votes: Three record votes were taken today. (Total—86) Pages 5788, 5795, 5800

Adjournment: Senate convened at 9:32 a.m., and adjourned at 8 p.m., until 10 a.m., on Thursday, April 7, 2005, p.m. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 5889.)

Committee Meetings

NOMINATION

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine the nomination of Charles F. Conner, of Indiana, to be Deputy Secretary of Agriculture, after the nominee, who was introduced by Senator Lugar, testified and answered questions in his own behalf.

APPROPRIATIONS: NATIONAL INSTITUTES OF HEALTH

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the National Institutes of Health, after receiving testimony from Elias Zerhouni, Director, National Institutes of Health, Department of Health and Human Resources.

APPROPRIATIONS: AIR FORCE

Committee on Appropriations: Subcommittee on Defense concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the Air Force, after receiving testimony from Michael L. Dominguez, Acting Secretary for Manpower and Reserve Affairs, and General John P. Jumper, Chief of Staff, both of the U.S. Air Force.

BUSINESS MEETING

Committee on Appropriations: Committee ordered favorably reported H.R. 1268, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, to establish and rapidly implement regulations for State driver's license and identification document security standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, to ensure expeditious construction of the San Diego border fence, with an amendment in the nature of a substitute.

ORGANIZATIONAL

Committee on Appropriations: Committee announced the following subcommittee assignments:

Subcommittee on District of Columbia: Senators Brownback (Chairman), DeWine, Allard, Landrieu, and Durbin.

Subcommittee on Energy and Water, and Related Agencies: Senators Domenici (Chairman), Cochran, McConnell, Bennett, Burns, Craig, Bond, Hutchison, Allard, Reid, Byrd, Murray, Dorgan, Feinstein, Johnson, Landrieu, and Inouye.

Subcommittee on Legislative Branch: Senators Allard (Chairman), Cochran, DeWine, Durbin, and Johnson.

Subcommittee on Military Construction and Veterans Affairs, and Related Agencies: Senators Hutchison (Chairman), Burns, Craig, DeWine, Brownback, Allard, McConnell, Feinstein, Inouye, Johnson, Landrieu, Byrd, and Murray.

DEFENSE AUTHORIZATION REQUEST: MILITARY INSTALLATION

Committee on Armed Services: Subcommittee on Readiness and Management Support concluded a hearing to examine military installation programs in review of the Defense Authorization Request for fiscal year 2006, after receiving testimony from Phillip W. Grone, Deputy Under Secretary of Defense for Installations and Environment; Geoffrey G. Prosch, Principal Deputy Assistant Secretary of the Army for Installations and Environment; B.J. Penn, Assistant Secretary of the Navy for Installations and Environment; and Nelson F. Gibbs, Assistant Secretary of the Air Force for Installations, Environment, and Logistics.

DEFENSE AUTHORIZATION: TACTICAL AVIATION PROGRAMS

Committee on Armed Services: Subcommittee on Airland concluded a hearing to examine tactical aviation programs in review of the Defense Authorization request for fiscal year 2006, after receiving testimony from Joseph E. Schmitz, Inspector General, Department of Defense; Michael J. Sullivan, Acquisition and Sourcing Management, General Accountability Office; Christopher Bolkcom, Specialist on National Defense, Congressional Research Service, Library of Congress; Michael W. Wynne, Acting Under Secretary of Defense for Acquisition, Technology and Logistics; John J. Young, Jr., Assistant Secretary for Research, Development and Acquisition, and Vice Admiral Joseph A. Sestak, Jr., USN, Deputy Chief of Naval Operations for Warfare, Requirements, and Programs, both of the United States Navy; Major General Stanley Gorenc, USAF, Director, Operational Capabilities and Requirements, United States Air Force; and Brigadier General Martin Post, USMC, Assistant Deputy Commandant for Aviation, United States Marine Corps.

GOVERNMENT-SPONSORED ENTERPRISES

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the role of housing-related government-sponsored enterprises (GSEs) in our economy, focusing on promoting mortgage securitization, after receiving testimony from Alan Greenspan, Chairman, Board of Governors of the Federal Reserve System.

NOMINATION

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the nomination of David Garman, of Virginia, to be Under Secretary of Energy, after the nominee testified and answered questions in his own behalf.

NOMINATIONS

Committee on Environment and Public Works: Committee concluded a hearing to examine the nominations of Stephen L. Johnson, of Maryland, to be Administrator of the Environmental Protection Agency, Luis Luna, of Maryland, to be an Assistant Administrator of the Environmental Protection Agency for Administration and Resource Management, John Paul Woodley, Jr., of Virginia, to be an Assistant Secretary of the Army for Civil Works, Major General Don T. Riley, United States Army, to be a Member and President of the Mississippi River Commission, Brigadier General William T. Grisoli, United States Army, to be a Member of the Mississippi River Commission, and D. Michael Rappoport, of Arizona, to be a Member of the Board of Trustees of the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation, after the nominees testified and answered questions in their own behalf.

NON-AMBULATORY PERSONS HEALTH CARE

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine health care provided to non-ambulatory persons, focusing on the medical, scientific, and ethical issues involved in the diagnosis, treatment, and decision-making for patients with disorders of consciousness resulting from severe brain damage, after receiving testimony from Rud Turnbull, University of Kansas Beach Center on Disability, Lawrence; James L. Bernat, Dartmouth Medical School, Hanover, New Hampshire, on behalf of the American Academy of Neurology; Deborah L. Warden, Defense and Veterans Head Injury Program, Washington, D.C.; and J. Donald Schumacher, National Hospice and Palliative Care Association, Alexandria, Virginia.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Measures Introduced: 42 public bills, H.R. 1489–1530; 2 private bills, H.R. 1531, H. Res. 201; and 14 resolutions, H. Con. Res. 124–126, and H. Res. 190–200, were introduced. **Page 5779**

Additional Cosponsors: **Page 5782**

Reports Filed: No reports were filed today.

Speaker: Read a letter from the Speaker wherein he appointed Majority Leader Tom DeLay to act as Speaker Pro Tempore for today. **Page 5711**

Chaplain: The prayer was offered today by Rev. L.H. Hardwick, Jr., Pastor, Christ Church in Nashville, Tennessee. **Page 5711**

Recess: The House recessed at 10:06 a.m. for the purpose of receiving His Excellency Viktor Yushchenko, President of Ukraine and reconvened at 12:15 p.m.; and agreed that the proceedings had during the Joint Meeting be printed in the Record. **Pages 5711, 5714**

Joint Meeting to receive His Excellency Viktor Yushchenko, President of Ukraine: The House and Senate met in a Joint Meeting to receive His Excellency Viktor Yushchenko, President of Ukraine. He was escorted into the Chamber by a Committee comprised of Representatives Blunt, Pryce (OH), Kingston, Doolittle, Gallegly, Weldon (PA), Pelosi, Hoyer, Menendez, Lantos, Harman, and Kaptur and Senators Frist, McConnell, Stevens, Santorum, Hutchison, Kyl, Dole, Lugar, Reid, Durbin, Stabenow, and Clinton. **Page 5712**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Realtime Investor Protection Act: H.R. 1077, amended, to improve the access of investors to regulatory records with respect to securities brokers, dealers, and investment advisers; **Page 5716**

Increased Capital Access for Growing Business Act: H.R. 436, to amend the Investment Company Act of 1940 to provide incentives for small business investment; **Page 5718**

Mortgage Servicing Clarification Act: H.R. 1025, amended, to amend the Fair Debt Collection Practices Act to exempt mortgage servicers from certain requirements of the Act with respect to federally related mortgage loans secured by a first lien; **Page 5719**

Native American Housing Enhancement Act of 2005: H.R. 797, to amend the Native American Housing Assistance and Self-Determination Act of 1996 and other Acts to improve housing programs for Indians; **Page 5722**

Supporting the goals and ideals of Financial Literacy Month: H. Res. 148, supporting the goals and ideals of Financial Literacy Month, by a ⅔ yea-and-nay vote of 409 yeas to 2 nays, Roll No. 95; **Pages 5726, 5756**

Recognizing and honoring firefighters for their many contributions throughout the history of the Nation: H. Res. 188, recognizing and honoring firefighters for their many contributions throughout the history of the Nation; and **Page 5731**

Captain Mark Stubenhofer Post Office Building Designation Act: H.R. 1460, to designate the facility of the United States Postal Service located at 6200 Rolling Road in Springfield, Virginia, as the "Captain Mark Stubenhofer Post Office Building". **Page 5735**

Honoring the life and achievements of Pope John Paul II: The House agreed to H. Res. 190, honoring the life and achievements of His Holiness Pope John Paul II and expressing profound sorrow on his death, by a yea-and-nay vote of 415 yeas with none voting "nay", Roll No. 94. **Page 5736**

The measure was considered under a unanimous consent agreement reached yesterday, April 5.

House Commission on Congressional Mailing Standards: The Chair announced the Speaker's appointment of the following Members to the House Commission on Congressional Mailing Standards: Representatives Ney, Aderholt, Sweeney, Millender-McDonald, Holt, and Sherman. **Page 5757**

Meeting Hour: Agreed that when the House adjourns today it adjourn to meet at 10 a.m. on Friday, April 8, and further, when the House adjourns on that day, it adjourn to meet at 12:30 p.m. on Tuesday, April 12 for Morning Hour debate. **Page 5757**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, April 13. **Page 5757**

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages 5755–56. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 6:30 p.m.

Committee Meetings

AGRICULTURE, RURAL DEVELOPMENT, FDA, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on Natural Resources and Environment. Testimony was heard from the following officials of the USDA: Mark E. Rey, Under Secretary, Natural Resources and Environment; Bruce I. Knight, Chief, Natural Resources Conservation Service; Wade Daniel Runnels, Director, Budget Planning and Analysis Division; and Dennis Kaplan, Budget Office.

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense met in executive session to hold a hearing on Army Acquisition. Testimony was heard from the following officials of the Department of the Army: Claude M. Bolton, Jr., Assistant Secretary; and LTG Joseph Yakovac, Jr., Deputy Assistant Secretary, both with Acquisitions and Logistics.

DEPARTMENT OF LABOR, HHS, EDUCATION AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on the Department of Labor, Health and Human Services, Education, and Related Agencies held a hearing on the Centers for Disease Control and Prevention. Testimony was heard from Julie L. Gerberding, M.D., Director, Center for Disease Control and Prevention, Department of Health and Human Services.

INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior, Environment and Related Agencies held a hearing on the Kennedy Center. Testimony was heard from Michael M. Kaiser, President, Kennedy Center and Keith Cuttingham and Mark Goldstein, both with GAO.

MILITARY QUALITY OF LIFE, AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Quality of Life, and Veterans Affairs, and Related Agencies held a hearing on Defense Health Program, the United States Court of Appeals for Veterans Claims, the American Battle Monuments Commission, the Arlington National Cemetery, and on the Armed Forces Retirement Home. Testimony was heard from the following officials of the Department of Defense: William Winkenwerder, Jr., M.D., Assistant Secretary, Health Affairs; LTG Kevin C. Kiley, M.D., U.S. Army Surgeon General Commander, U.S. Army Medical Command; LTG George Peach Taylor, Jr., M.D., Surgeon General, U.S. Air Force; and VADM Donald C. Arthur, Medical Corps Surgeon General Chief, Bureau of Medicine and Surgery; Donald Ivers, Chief Judge; and William Greene, Judge, both with the U.S. Court of Appeals for Veterans Claims; GEN Fredrick M. Franks, Jr., U.S. Army (Ret.), Chairman; and BG John W. Nicholson, U.S. Army (Ret.), Secretary, American Battle Monuments Commission; John Paul Woodley, Office of the Assistant Secretary of the Army (Civil Works); and Timothy C. Cox, Chief Operating Officer, Armed Forces Retirement Home.

IRAQ'S PAST, PRESENT, AND FUTURE

Committee on Armed Services: Held a hearing on Iraq's past, present and future. Testimony was heard from the following former officials of the Department of Defense: GEN Wesley Clark, USA (Ret.), Combatant Commander, European Command; and Richard Perle, Assistant Secretary, International Security Policy.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST FOR FISCAL YEAR 2006

Committee on Armed Services: Subcommittee on Readiness held a hearing on Fiscal Year 2006 National Defense Authorization budget request—Military Service's Requirement on Reconstitution of Equipment. Testimony was heard from the following officials of the Department of Defense: LTG Claude V. Christianson, USA, Deputy Chief of Staff, G–4, U.S. Army; RADM Mark A. Hugel, USN, Deputy Director, Fleet Readiness (OPNAV N43B), Staff of the Chief of Naval Operations, U.S. Navy; LTG Jan C. Huly, USMC, Deputy Commandant, Plans, Policies, and Operations, Headquarters, U.S. Marine Corps; and LTG Donald J. Wetekam, USAF, Deputy Chief of Staff, Installations and Logistics, U.S. Air Force; and Douglas Holtz-Eakin, Director, CBO.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST FOR FISCAL YEAR 2006

Committee on Armed Services: Subcommittee on Terrorism, Unconventional Threats and Capabilities held a hearing on the Fiscal Year 2006 National Defense Authorization budget request—Destruction of the U.S. Chemical Weapons Stockpile—Program Status and Issues. Testimony was heard from the following officials of the Department of Defense: Dale Klein, Assistant to the Secretary (Nuclear, Chemical and Biological Defense Programs); Claude Bolton, Assistant Secretary, Army (Acquisition, Logistics, and Technology); Pat Wakefield, Deputy Assistant to the Secretary (Chemical Demilitarization and Counterproliferation); and Mike Parker, Director, U.S. Army Chemical Materiel Agency; Craig Conklin, Chief, Nuclear and Chemical Hazards Branch Preparedness Division, Emergency Preparedness and Response Directorate, FEMA, Department of Homeland Security; and Thomas Sinks, Acting Director, National Center, Environmental Health/Agency for Toxic Substances and Disease Registry, Centers for Disease Control and Prevention, Department of Health and Human Services.

SINGLE-EMPLOYER PENSION PLANS

Committee on Education and the Workforce: Ordered reported unfavorably H. Res. 134, Requesting the President to transmit to the House of Representatives certain information relating to plan assets and liabilities of single-employer pension plans.

ENERGY POLICY ACT

Committee on Energy and Commerce: Began markup of the Energy Policy Act of 2005.

Will continue April 12.

COMMUNITY DEVELOPMENT BUDGET

Committee on Financial Services: Held a hearing entitled "Strengthening America's Communities: A Review of the Administration's FY 2006 Budget Initiative." Testimony was heard from Carlos M. Gutierrez, Secretary of Commerce; Alphonso Jackson, Secretary of Housing and Urban Development; and Clay Johnson III, Deputy Director, Management, OMB.

FANNIE MAE—OFHEO'S EFFORTS TO ENSURE SAFE AND SOUND OPERATIONS

Committee on Financial Services: Subcommittee on Capital Markets, Insurance and Government Sponsored Enterprises held a hearing entitled "Additional Accounting and Management Failures at Fannie Mae—OFHEO's Efforts to Ensure Safe and Sound Operations." Testimony was heard from Armando Falcon, Director, Office of Federal Housing Enterprise Oversight, Department of Housing and Urban Development.

ENERGY SECURITY POLICY

Committee on Government Reform: Subcommittee on Energy and Resources held a hearing entitled "America's Energy Needs as Our National Security Policy." Testimony was heard from Jeffrey Clay Sell, Deputy Secretary, Department of Energy; R. James Woolsey, former Director, CIA; and public witnesses.

OVERSIGHT—CHINA'S ANTI-SECESSION LAW

Committee on International Relations: Subcommittee on Asia and the Pacific held an oversight hearing on China's Anti-Secession Law and Developments across the Taiwan Strait. Testimony was heard from Randall G. Schriver, Deputy Assistant Secretary, Bureau of East Asian and Pacific Affairs, Department of State; and public witnesses.

OVERSIGHT—BOSNIA-HERZEGOVINA: UNFINISHED BUSINESS

Committee on International Relations: Subcommittee on Europe and Emerging Threats held an oversight hearing on Bosnia-Herzegovina: Unfinished Business. Testimony was heard from public witnesses.

OVERSIGHT—CHINA'S WESTERN HEMISPHERE INFLUENCE

Committee on International Relations: Subcommittee on Western Hemisphere held an oversight hearing on China's Influence in the Western Hemisphere. Testimony was heard from Roger F. Noriega, Assistant Secretary, Bureau of Western Hemisphere Affairs, Department of State; Rogelio Pardo-Maurer, Deputy Assistant Secretary, Bureau of Western Hemisphere Affairs, Department of Defense; and public witnesses.

OVERSIGHT—USA PATRIOT ACT—REAUTHORIZATION

Committee on the Judiciary: Held an oversight hearing on the USA PATRIOT Act: A Review for the Purpose of its Reauthorization. Testimony was heard from Alberto R. Gonzales, the Attorney General, Department of Justice.

OVERSIGHT—DIGITAL MUSIC

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property held an oversight hearing on Digital Music Interoperability and Availability. Testimony was heard from public witnesses.

OVERSIGHT—NATIONAL PARK SERVICE CONCESSIONS ACT OF 1998 IMPLEMENTATION

Committee on Resources: Subcommittee on National Parks held an oversight hearing on the Implementation of the National Park Service Concessions Act of 1998. Testimony was heard from Steve Martin, Director, Intermountain Region, National Park Service, Department of the Interior; and public witnesses.

MISCELLANEOUS MEASURES; EXPORT-IMPORT BANK PROGRAMS

Committee on Small Business: Ordered reported the following resolutions: H. Res. 130, Recognizing the contributions of environmental systems and the technicians who install and maintain them to the quality of life of all Americans and supporting the goals and ideals of National Indoor Comfort Week; and H. Res. 22, as amended, Expressing the sense of the House of Representatives that American small businesses are entitled to a Small Business Bill of Rights.

The Committee also held a hearing on the commitment of the Export-Import Bank of the United States (Ex-Im) to assist small business exporters. Testimony was heard from Philip Merrill, President and Chairman, Export-Import Bank of the United States; and public witnesses.

OVERSIGHT—PANDEMIC THREAT/AIR TRAVEL

Committee on Transportation and Infrastructure: Subcommittee on Aviation held an oversight hearing on Efforts to Prevent Pandemics by Air Travel. Testimony was heard from Jon L. Jordan, M.D., Federal Air Surgeon, Office of Aerospace Medicine, FAA, Department of Transportation; CAPT Anne Schuchat, M.D., Acting Director, National Center for Infectious Diseases, Centers for Disease Control and Prevention, Department of Health and Human Services; and public witnesses.

BRIEFING—WEAPONS OF MASS DESTRUCTION

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on Weapons of Mass Destruction. The Committee was briefed by departmental witnesses.

Joint Meetings

SCHNEERSON COLLECTION

Commission on Security and Cooperation in Europe (Helsinki Commission): Commission concluded a hearing to examine the efforts of the Chabad community and the U.S. Government to recover the "Schneerson Collection" of sacred and irreplaceable Jewish books and manuscripts from the Russian Government, after receiving testimony from Ambassador Edward B. O'Donnell, Jr., Special Envoy for Holocaust Issues, Department of State; Boruch Shlomo

Cunin, Los Angeles, California, Isaac Kogan, Moscow, Russia, and Sholom Ber Levinson, and Yehuda Krinsky, both of Brooklyn, New York, all of Agudas Chasidel Chabad-Lubavitch; Marshall B. Grossman, Alschuler Grossman Stein and Kahan, LLP, Santa Monica, California; Yosef Aronoc, Chabad, Ksar Chabad, Israel; Leon Fuerth, The George Washington University, Washington, D.C.; Jon Voight, Los Angeles, California; and Joseph Wineberg, Miami, Florida.

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Thursday, April 7, 2005

Senate

Chamber Action

Routine Proceedings, pages 5901–24

Measures Introduced: Four bills and one resolution were introduced, as follows: S. 739–742, and S. Con. Res. 25. **Page 5919**

Nomination Agreement: A unanimous-consent agreement was reached providing that at 5 p.m., on Monday, April 11, 2005, Senate begin consideration of the nomination of Paul A. Crotty, of New York, to be United States District Judge for the Southern District of New York, that there be 30 minutes for debate equally divided between the Chairman and Ranking Member of the Committee on the Judiciary, or their designees, and the Senate then vote on confirmation of the nomination. **Page 5924**

China Currency Agreement: A unanimous-consent agreement was reached providing that the Majority Leader, after consultation with the Democratic Leader, shall, no later than July 27, 2005, call up S. 295, to authorize appropriate action in the negotiations with the People's Republic of China regarding China's undervalued currency are not successful; that if the bill has not been reported by then by the Committee on Finance, it be discharged at that time, and the Senate begin its consideration; that there be 2 hours for debate equally divided between the Chairman of the Committee on Finance, and the Democratic Leader, or his designee; that no amendments or motions be in order, including Committee amendments; that after the use, or yielding back of time, the bill be read a third time, and the Senate vote on final passage of the bill; provided further, that the bill become the pending business when the Senate resumes legislative session after July 26, 2005, under the above terms and conditions if it has not been considered prior to that time. **Page 5924**

Nominations Received: Senate received the following nomination:

Gordon England, of Texas, to be Deputy Secretary of Defense. **Page 5924**

Messages From the House: **Page 5918**

Measures Referred: **Page 5918**

Measures Held at Desk: **Page 5918**

Executive Communications: **Page 5918**

Additional Cosponsors: **Page 5919**

Statements on Introduced Bills/Resolutions: **Page 5919**

Additional Statements: **Page 5917**

Authority for Committees to Meet: **Page 5923**

Adjournment: Senate convened at 10 a.m., and adjourned at 2:16 p.m., until 2 p.m., on Monday, April 11, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 5924.)

Committee Meetings

APPROPRIATIONS: INTERNAL REVENUE SERVICE

Committee on Appropriations: Subcommittee on Transportation, Treasury, the Judiciary, Housing and Urban Development, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the Internal Revenue Service, after receiving testimony from Mark W. Everson, Commissioner, Internal Revenue Service, and J. Russell George, Treasury Inspector General for Tax Administration, both of the Department of the Treasury.

APPROPRIATIONS: CORPS OF ENGINEERS/ BUREAU OF RECLAMATION

Committee on Appropriations: Subcommittee on Energy and Water, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2006 for Corps of Engineers and Bureau of Reclamation, after receiving testimony from John Paul Woodley, Jr., Principal Deputy Assistant Secretary of the Army for Civil Works; Lieutenant General Carl A. Strock, Chief of Engineers, U.S. Army Corps of Engineers; and R. Tomas Weimer, Acting Assistant Secretary for Water and Science, and John W. Keys, III, Commissioner, both of the Bureau of Reclamation, Department of the Interior.

DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Strategic Forces concluded a hearing to examine Ballistic Missile Defense Programs in review of the Defense Authorization Request for fiscal year 2006, after receiving testimony from Michael W. Wynne, Acting Under Secretary of Defense for Acquisition, Technology and Logistics; General James E. Cartwright, USMC, Commander, United States Strategic Command; David W. Duma, Acting Director, Operational Test and Evaluation, Department of Defense; and Lieutenant General Henry A. Obering III, USAF, Director, Missile Defense Agency.

GOVERNMENT-SPONSORED ENTERPRISES

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine regulatory reform of the Government-Sponsored Enterprises, focusing on the Administration's views on how best to improve and reform regulatory oversight of the housing government-sponsored enterprises, after receiving testimony from John W. Snow, Secretary of the Treasury; and Alphonso Jackson, Secretary of Housing and Urban Development.

NOMINATION

Committee on Veterans' Affairs: Committee concluded a hearing to examine the nomination of Jonathan Brian Perlin, of Maryland, to be Under Secretary of Veterans Affairs for Health, after the nominee, who was introduced by Senator Thune, testified and answered questions in his own behalf.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

House of Representatives

Chamber Action

The House was not in session today. It will meet at 10 a.m. on Friday, April 8 in pro forma session, and at 12:30 p.m. on Tuesday, April 12 for Morning Hour debate.

Committee Meetings

AGRICULTURE, RURAL DEVELOPMENT, FDA, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on Research, Education, and Extension. Testimony was heard from the following officials of the USDA: Joseph J. Jen, Under Secretary, Research, Education and Economics; Edward B. Knipling, Administrator, Agricultural Research Service; Colien Hefferan, Administrator, Cooperative State Research, Education and Extension; Susan E. Offutt, Administrator, Economic Research Service; R. Ronald Bosecker, Administrator, National Agricultural Statistics Service; and Dennis Kaplan, Budget Office.

DEPARTMENT OF LABOR, HHS, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on the Department of Labor, Health and Human Services, Education and Related Agencies held a hearing on OSHA, on the Mine Safety and Health Administration, and on the National Institute for Occupational Safety and Health. Testimony was heard from the following officials of the Department of Health and Human Services: Jonathon Snare, Acting Assistant Secretary, OSHA; David Dye, Acting Assistant Secretary, Mine Safety and Health Administration; and John Howard, M.D., National Institute of Occupational Safety and Health.

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HUD, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES

Committee on Appropriations: Subcommittee on Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and Independent Agencies held a hearing on the GSA. Testimony was heard by Stephen A. Perry, Administrator, GSA.

MILITARY QUALITY OF LIFE, AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee Military Quality of Life, and Veterans Affairs, and Related Agencies held a hearing on BRAC/Global Posture Review. Testimony was heard from public witnesses.

The Subcommittee also continued appropriation hearings. Testimony was heard from public witnesses.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST FOR FISCAL YEAR 2006

Committee on Armed Services: Subcommittee on Military Personnel held a hearing on the Fiscal Year 2006 National Defense Authorization budget request—Military Resale and Morale Welfare and Recreation Overview. Testimony was heard from the following officials of the Department of Defense: Charles S. Abell, Principal Deputy Under Secretary, Personnel and Readiness; MG Kathryn Frost, USA, Commander, Army and Air Force Exchange Service Command; RADM Robert E. Cowley, USN, Supply Corps, U.S. Navy, Commander, Navy Exchange Service Command; Michael P. Downs, Director, Personal and Family Readiness Division, Headquarters, U.S. Marine Corps; Patrick Nixon, CEO and Acting Director, Defense Commissary Agency; BG John A. MacDonald, USA, Commanding General, U.S. Army Community and Family Support Center; RADM Christopher Weaver, USN, Commander, Navy Installations Command; Arthur Meyers, Director, Services, USAF; SFC Peter Cawley, Army National Guard; GySgt Alan R. Gilly, USMC; and public witnesses.

GOVERNMENT INFORMATION SECURITY

Committee on Government Reform: Held a hearing entitled "No Computer Left Behind: A Review of the Federal Government's D+ Information Security Grade." Testimony was heard from Greg Wilshusen, Director, Information

Security Issues, GAO; Karen S. Evans, Administrator, Office of E-Government and Information Technology, OMB; the following officials of AID, Department of State: Bruce N. Crandlemire, Assistant Inspector General, Audit; and John Streufert, Acting Chief Information Officer; the following officials of the Department of Homeland Security: Frank Deffer, Assistant Inspector General, Information Technology; and Steve Cooper, Chief Information Officer; and the following officials of the Department of Transportation: Ted Alves, Assistant Inspector General, IT and Financial Management; and Daniel Matthews, Chief Information Officer.

Joint Meetings

KYRGYZSTAN REVOLUTION

Commission on Security and Cooperation in Europe (Helsinki Commission): Commission concluded a hearing to examine the recent revolution in Kyrgyzstan and the prospects now for consolidating democracy, focusing on the implications for Central Asia, Belarus, Russia and the United States, after receiving testimony from Martha Olcott, Carnegie Endowment for International Peace, and Daniel Kimmage, Radio Free Europe/Radio Liberty, both of Washington, D.C.; and Zamira Sydykova, Res Publica, and Yulia Savchenko, Pyramid TV, both of Bishkek, Kyrgyzstan.

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Friday, April 8, 2005

Senate

Chamber Action

The Senate was not in session today.

House of Representatives

Chamber Action

Measures Introduced: 9 public bills, H.R. 1532–1540, were introduced. **Page 5954**

Additional Cosponsors: **Page 5954**

Reports Filed: Reports were filed today as follows:

S. 256, to amend title 11 of the United States Code (H. Rept. 109–31, Pt. 1). **Page 5954**

Speaker: Read a letter from the Speaker wherein he appointed Representative Thornberry to act as Speaker Pro Tempore for today. **Page 5953**

Chaplain: The prayer was offered today by Dr. Alan N. Keiran, Chief of Staff, Office of the Senate Chaplain. **Page 5953**

Quorum Calls—Votes: There were no votes or quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 10:03 a.m.

Committee Meetings

No committee meetings were held.

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Monday, April 11, 2005

Senate

Chamber Action

Routine Proceedings, pages 5961–6038

Measures Introduced: Eighteen bills and two resolutions were introduced, as follows: S. 743–760, and S. Res. 102–103. **Page 6011**

Measures Passed:

Airbus: By a unanimous vote of 96 yeas (Vote No. 88), Senate agreed to S. Con. Res. 25, expressing the sense of Congress regarding the application of Airbus for launch aid. **Page 5998**

Virginia Union University Panthers Men's Basketball Team: Senate agreed to S. Res. 102, commending the Virginia Union University Panthers men's basketball team for winning the 2005 National Collegiate Athletic Association Division II National Basketball Championship. **Pages 6032, 6036**

Baylor University Women's Basketball Team: Senate agreed to S. Res. 103, commending the Lady Bears of Baylor University for winning the 2005 National Collegiate Athletic Association Division I Women's Basketball Championship. **Pages 6033, 6036**

Commemorating Attack: Committee on the Judiciary was discharged from further consideration of S. Res. 96, commemorating the tenth anniversary of the attack on the Alfred P. Murrah Federal Building, and the resolution was then agreed to. **Page 6037**

Supplemental Appropriations: Senate began consideration of H.R. 1268, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, to establish and rapidly implement regulations for State driver's license and identification document security standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, to ensure expeditious construction of the San Diego border fence, agreeing to the committee amendment in the nature of a substitute, which will be considered as original text for the purpose of further amendment. **Page 5963**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:45 a.m., on Tuesday, April 12, 2005. **Page 6037**

Nominations Confirmed: Senate confirmed the following nominations:

By unanimous vote of 95 yeas (Vote No. 87), Paul A. Crotty, of New York, to be United States District Judge for the Southern District of New York. **Pages 5995, 6038**

Nominations Received: Senate received the following nominations:

Lieutenant General Michael V. Hayden, United States Air Force, to be Principal Deputy Director of National Intelligence. **Page 6038**

Executive Communications: **Page 6009**

Additional Cosponsors: **Page 6011**

Statements on Introduced Bills/Resolutions: **Page 6013**

Additional Statements: **Page 6007**

Amendments Submitted: **Page 6033**

Notices of Hearings/Meetings: **Page 6035**

Authority for Committees to Meet: **Page 6035**

Privilege of the Floor: **Page 6036**

Record Votes: Two record votes were taken today. (Total—88) **Page 5998**

Adjournment: Senate convened at 2 p.m., and adjourned at 7:15 p.m., until 9:45 a.m., on Tuesday, April 12, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 6037.)

Committee Meetings

DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities concluded a hearing to examine the Chemical Demilitarization Program of the Department of Defense in review of the Defense Authorization Request for fiscal year 2006, after receiving testimony from Michael W. Wynne, Under Secretary of Defense for Acquisition, Technology and Logistics; Claude M. Bolton, Assistant Secretary of the Army for Acquisition, Technology and Logistics; Donald A. Mahley, Deputy Assistant Secretary of State, Bureau of Arms Control; Dale E. Klein, Assistant to the Secretary of Defense, Nuclear and Chemical and Biological Defense Programs.

UNIVERSAL SERVICE FUND EXEMPTION

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine S. 241, to amend section 254 of the Communications Act of 1934 to provide that funds received as universal service contributions and the universal service support programs established pursuant to that section are not subject to certain provisions of title 31, United States Code, commonly known as the Antideficiency Act, after receiving testimony from Austin C. Schlick, Acting General Counsel, and Lisa Gelb, Deputy Bureau Chief, Wireline Competition Bureau, both of the Federal Communications Commission; Patricia A. Dalton, Managing Director, Physical Infrastructure Issues, Government Accountability Office; Brian L. Talbott, Universal Service Administrative Company, Denver, Colorado; Sheryl Abshire, Calcasieu Parish Public Schools, Lake Charles, Louisiana; and Steve Hamlen, United Utilities, Inc., Anchorage, Alaska.

NOMINATION

Committee on Foreign Relations: Committee began a hearing to examine the nominations of John Robert Bolton, of Maryland, to be U.S. Representative to United Nations, with the rank and status of Ambassador and U.S. Representative in the Security Council of the United Nations, and Representative to the Sessions of the General Assembly of the United Nations during his tenure of service as Representative of the United States of America to the United Nations, where the nominee testified and answered questions in his own behalf.

Hearings will continue tomorrow.

House of Representatives

Chamber Action

The House was not in session today. It will meet at 12:30 p.m. on Tuesday, April 12 for Morning Hour debate, and 2 p.m. for legislative business.

Committee Meetings

No committee meetings were held.

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Tuesday, April 12, 2005

Senate

Chamber Action

Routine Proceedings, pages 6042–6106

Measures Introduced: Eight bills and three resolutions were introduced, as follows: S. 761–768, S. Res. 104–105, and S. Con. Res. 26. **Page 6083**

Measures Passed:

National Youth Service Day: Senate agreed to S. Res. 105, designating April 15, 2005, as National Youth Service Day. **Pages 6095, 6104**

Supplemental Appropriations: Senate continued consideration of H.R. 1268, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, to establish and rapidly implement regulations for State driver's license and identification document security standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, to ensure expeditious construction of the San Diego border fence, taking action on the following amendments proposed thereto: **Page 6050**

Pending:

Kerry Amendment No. 333, to extend the period of temporary continuation of basic allowance for housing for dependents of members of the Armed Forces who die on active duty. **Page 6057**

Kerry Amendment No. 334, to increase the military death gratuity to $100,000, effective with respect to any deaths of members of the Armed Forces on active duty after October 7, 2001. **Page 6057**

Durbin Amendment No. 356, to ensure that a Federal employee who takes leave without pay in order to perform service as a member of the uniformed services or member of the National Guard shall continue to receive pay in an amount which, when taken together with the pay and allowances such individual is receiving for such service, will be no less than the basic pay such individual would then be receiving if no interruption in employment had occurred. **Page 6072**

During consideration of this measure today, Senate also took the following action:

By 46 yeas to 54 nays (Vote No. 89), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 402 of S. Con. Res. 95, Congressional Budget Resolution, with respect to the emergency designation provision in Murray Modified Amendment No. 344, to provide $1,975,183,000 for medical care for veterans. Subsequently, a point of order that the emergency designation provision would violate section 402 of S. Con. Res. 95 was sustained and the provision was stricken. **Page 6062**

By 46 yeas to 54 nays (Vote No. 90), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302 of the Congressional Budget Act of 1974, with respect to Murray Modified Amendment No. 344, to provide $1,975,183,000 for medical care for veterans. Subsequently, the point of order that the amendment would violate section 302 of the Congressional Budget Act was sustained, and the amendment thus fell. **Pages 6052, 6058, 6062**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m., on Wednesday, April 13, 2005; that there be 40 minutes equally divided in relation to Durbin Amendment No. 356 (listed above), and that the Senate vote on or in relation to the amendment, with no second degrees in order to the amendment prior to that vote. **Page 6105**

Appointment:

Advisory Committee on the Records of Congress: The Chair announced, on behalf of the Democratic Leader, pursuant to Public Law 101–509, the appointment of Guy Rocha, of Nevada, to the Advisory Committee on the Records of Congress, vice Stephen Van Buren of South Dakota. **Page 6105**

Executive Communications: **Page 6082**

Executive Reports of Committees: **Page 6083**

Additional Cosponsors: **Page 6084**

Statements on Introduced Bills/Resolutions: **Page 6086**

Additional Statements: **Page 6081**

Amendments Submitted: **Page 6097**

Notices of Hearings/Meetings: **Page 6103**

Authority for Committees to Meet: **Page 6104**

Privilege of the Floor: **Page 6104**

Record Votes: Two record votes were taken today. (Total—90) **Page 6070**

Adjournment: Senate convened at 9:45 a.m., and adjourned at 6:53 p.m., until 9:30 a.m., on Wednesday, April 13, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 6106.)

Committee Meetings

APPROPRIATIONS: DEPARTMENT OF AGRICULTURE

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the Department of Agriculture, after receiving testimony from Mike Johanns, Secretary of Agriculture.

IRAQI SECURITY FORCES

Committee on Armed Services: Committee met in closed session to receive a briefing regarding assessment of Iraqi Security Forces from General Gary E. Luck, USA (Ret.), Peter W. Rodman, Assistant Secretary of Defense for International Security Affairs, Lieutenant General Raymond T. Odierno, USA, Assistant to the Chairman of the Joint Chiefs of Staff, and Lieutenant General Walter L. Sharp, USA, Director of Strategic Plans and Policy, J–5, The Joint Staff.

DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on SeaPower concluded closed and open hearings to examine Navy shipbuilding and industrial base status in review of the Defense Authorization Request for fiscal year 2006, after receiving testimony from Admiral Vernon E. Clark, USN, Chief of Naval Operations, United States Navy; Ronald O'Rourke, National Defense Specialist, Congressional Research Service, Library of Congress; Michael W. Toner, General Dynamics Corporation, Falls Church, Virginia; and Philip A. Dur, Northrop Grumman Ship Systems, Pascagoula, Mississippi.

NOMINATIONS:

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the nominations of Michael D. Griffin, of Virginia, to be Administrator of the National Aeronautics and Space Administration, who was introduced by Senators Mikulski and Sarbanes; Joseph H. Boardman, of New York, to be Administrator of the Federal Railroad Administration, Department of Transportation, who was introduced by Senator Schumer; Nancy Ann Nord, of the District of Columbia, to be a Commissioner of the Consumer Product Safety Commission, and William Cobey, of North Carolina, to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority, who was introduced by Senators Dole and Burr, after the nominees testified and answered questions in their own behalf.

OIL RESOURCE DEVELOPMENT

Committee on Energy and Natural Resources: Committee concluded a hearing to examine developing a reliable supply of oil from domestic oil shale and oil sands resources, focusing on opportunities to advance technology that will facilitate environmentally friendly development of oil shale and oil sands resources, after receiving testimony from Mark Maddox, Principal Deputy Assistant Secretary of Energy for Fossil Energy; Ted Barna, Assistant Deputy Under Secretary of Defense for Nuclear, Biological, and Chemical Technology; Thomas Lonnie, Assistant Director, Minerals, Realty, and Resource Protection, Bureau of Land Management, Department of the Interior; Russell George, Colorado Department of Natural Resources, Denver; Stephen Mut, Shell Exploration and Production Company, Washington, D.C.; Jim Evans, Associated Governments of Northwestern Colorado, Rifle; and Steve Smith, The Wilderness Society, Denver, Colorado.

NATIONAL MALL

Committee on Energy and Natural Resources: Subcommittee on National Parks concluded a hearing to examine management and planning issues for the National Mall, including the history of the development, security projects and other planned construction, and future development plans, after receiving testimony from John Parsons, Associate Regional Director, Lands, Resources, and Planning, National Capital Region, National Park Service, Department of the Interior; and W. Kent Cooper, National Mall Third Century Initiative, John V. Cogbill III, National Capital Planning Commission, and David M. Childs, Commission of Fine Arts, all of Washington, D.C.

NOMINATION

Committee on Foreign Relations: Committee concluded hearings to examine the nominations of John Robert Bolton, of Maryland, to be U.S. Representative to United Nations, with the rank and status of Ambassador and U.S. Representative in the Security Council of the United Nations, and Representative to the Sessions of the General Assembly of the United Nations during his tenure of service as Representative of the United States of America to the United Nations, after the nominee further testified and answered questions in his own behalf. Testimony was also received from Carl W. Ford, Jr., former Assistant Secretary of State for Intelligence and Research.

NOMINATION

Select Committee on Intelligence: Committee concluded open and closed hearings to examine the nomination of John D. Negroponte, of New York, to be Director of National Intelligence, after the nominee, who was introduced by Senator Stevens, testified and answered questions in his own behalf.

RETIREMENT PLANS

Special Committee on Aging: Committee concluded a hearing to examine the role of employer-sponsored retirement plans in increasing national savings, focusing on 401(k) plans, individual retirement accounts (IRAs), and financial literacy, after receiving testimony from Mark J. Warshawsky, Assistant Secretary of the Treasury for Economic Policy; and J. Mark Iwry, The Brookings Institution, C. Eugene Steuerle, The Urban Institute, and James A. Klein, American Benefits Council, and John M. Kimpel, Fidelity Investments, all of Washington, D.C.

House of Representatives

Chamber Action

Measures Introduced: 46 public bills, H.R. 1541–1586 and; 12 resolutions, H. Con. Res., 127–130 and H. Res. 203–210 were introduced. **Page 6149**

Additional Cosponsors: **Page 6151**

Reports Filed: Reports were filed today as follows:

H.R. 29, to protect users of the Internet from unknowing transmission of their personally identifiable information through spyware programs, amended (H. Rept. 109–32);

S. 167, to provide for the protection of intellectual property rights (H. Rept. 109–33, Pt. 1);

H. Res. 134, requesting the President to transmit to the House of Representatives certain information relating to plan assets and liabilities of single-employer pension plans, adverse (H. Rept. 109–34);

H. Res. 202, providing for consideration of H.R. 8, to make the repeal of the estate tax permanent (H. Rept. 109–35);

H.R. 28, to amend the High-Performance Computing Act of 1991, amended (H. Rept. 109–36);

H.R. 1023, to authorize the Administrator of the National Aeronautics and Space Administration to establish an awards program in honor of Charles "Pete" Conrad, astronaut and space scientist, for recognizing the discoveries made by amateur astronomers of asteroids with near-Earth orbit trajectories (H. Rept. 109–37); and

H.R. 749, to amend the Federal Credit Union Act to provide expanded access for persons in the field of membership of a Federal credit union to money order, check cashing, and money transfer services, amended (H. Rept. 109–38). **Page 6148**

Speaker: Read a letter from the Speaker wherein he appointed Representative Barrett of South Carolina to act as Speaker Pro Tempore for today. **Page 6107**

Recess: The House recessed at 1:01 p.m. and reconvened at 2 p.m. **Page 6110**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Twenty-First Century Water Commission Act of 2005: H.R. 135, to establish the "Twenty-First Century Water Commission" to study and develop recommendations for a comprehensive water strategy to address future water needs, by a ⅔ yea-and-nay vote of 402 yeas to 22 nays, Roll No. 96; **Pages 6112, 6121**

Pine Springs Land Exchange Act: H.R. 482, to provide for a land exchange involving Federal lands in the Lincoln National Forest in the State of New Mexico; **Page 6115**

Conveyance of certain lands in Lander County and Eureka County, Nevada: H.R. 541, to direct the Secretary of Agriculture to convey certain land to Lander County, Nevada, and the Secretary of the Interior to convey certain land to Eureka County, Nevada, for continued use as cemeteries, by a ⅔ yea-and-nay vote of 423 yeas with none voting "nay", Roll No. 97; **Pages 6116, 6122**

Southern California Groundwater Remediation Act: H.R. 18, to authorize the Secretary of the Interior, acting through the Bureau of Reclamation and in coordination with other Federal, State, and local government agencies, to participate in the funding and implementation of a balanced, long-term groundwater remediation program in California; and **Page 6118**

Colorado River Indian Reservation Boundary Correction Act: H.R. 794, to correct the south boundary of the Colorado River Indian Reservation in Arizona. **Page 6119**

Recess: The House recessed at 2:53 p.m. and reconvened at 6:31 p.m. **Page 6121**

Senate Message: Message received from the Senate today appears on page 6111.

Senate Referral: S. Con. Res. 25 was held at the desk.

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages 6121–23. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 10:18 p.m.

Committee Meetings

DEPARTMENT OF LABOR, HHS, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on the Department of Labor, Health and Human Services, Education, and Related Agencies held a hearing on Pandemic Preparedness and Influenza Vaccine Supply. Testimony was heard from the following officials of the Department of Health and Human Services: Julie L. Gerberding, M.D., Director, Centers for Disease Control and Prevention; Bruce Gellin, M.D., Director, National Vaccine Program; and Anthony S. Fauci, M.D., Director, National Institute of Allergy and Infectious Diseases, NIH.

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HUD, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia and Independent Agencies held a hearing on the Federal Judiciary and on the Supreme Court. Testimony was heard from Julia S. Gibbons, Chair, Committee on the Budget, Judicial Conference of the United States; Leonidas Ralph Mecham, Director, Administrative Office of the U.S. Courts; and the following Supreme Court Justices: Anthony M. Kennedy, and Clarence Thomas, both Associate Justices.

ENERGY POLICY ACT

Committee on Energy and Commerce: Continued markup of the Energy Policy Act of 2005.

Will continue tomorrow.

FEDERAL CREDIT AGENCIES

Committee on Financial Services: Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises held a hearing entitled "Reforming Credit Rating Agencies: The SEC's Need for Statutory Authority," Testimony was heard from Annette L. Nazareth, Director, Division of Market Regulation, SEC.

NATIONAL SECURITY PERSONNEL SYSTEM

Committee on Government Reform: Subcommittee on Federal Workforce and Agency Organization, hearing entitled "NSPS: The New Department of Defense Civilian Personnel System—Reaching Readiness." Testimony was heard from David M. Walker, Comptroller General, GAO; Charles S. Abell, Principal Deputy Under Secretary (Personnel and Readiness), Department of Defense; George Nesterczuk, Senior Policy Advisor on the Department of Defense, OPM; Neil A. G. McPhie, Chairman, Merit Systems Protection Board; and public witnesses.

U.N. OIL-FOR-FOOD PROGRAM

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations held a hearing entitled "Oil-for-Food: The Inevitable Failure of U.N. Sanctions." Testimony was heard from Thomas A. Schweich, Chief of Staff, U.S. Mission to the United Nations, Department of State; and public witnesses.

U.S. MANUFACTURING—IMPACT OF REGULATION

Committee on Government Reform: Subcommittee on Regulatory Affairs held a hearing entitled "The Impact of Regulation on U.S. Manufacturing." Testimony was heard from Al Frink, Assistant Secretary, Manufacturing and Services, Department of Commerce; John Graham, Administrator, Office of Information and Regulatory Affairs, OMB; and public witnesses.

FIRST RESPONDERS FUNDING

Committee on Homeland Security: Subcommittee on Emergency Preparedness, Science, and Technology held a hearing entitled "The Need for Grant Reform and The Faster and Smarter Funding for First Responders Act of 2005." Testimony was heard from J. Richard Berman, Assistant Inspector General, Audits, Office of Inspector General, Department of Homeland Security; William O. Jenkins, Jr., Director, Homeland Security and Justice Issues, GAO; Bryan E. Beatty, Secretary, Department of Crime Control and Public Safety, Secretary, State of North Carolina; Michael Chapman, Director, Office of Homeland Security, State of Missouri; David L. Miller, Administrator, Homeland Security and Emergency Management Division, State of Iowa; and a public witness.

DEFENDING AMERICA'S MOST VULNERABLE: SAFE ACCESS TO DRUG TREATMENT AND CHILD PROTECTION ACT; GANG DETERRENCE AND COMMUNITY PROTECTION ACT

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security, approved for full Committee the following bills: H.R. 1528, Defending America's Most Vulnerable Safe Access to Drug Treatment and Child Protection Act of 2005; and H.R. 1279, Gang Deterrence and Community Protection Act of 2005.

Prior to this action, the Subcommittee held a hearing on H.R. 1528. Testimony was heard from Jodi L. Avergun, Chief of Staff, DEA, Department of Justice; and public witnesses.

NATIONAL PARKS/SNOWMOBILES

Committee on Resources: Subcommittee on National Parks held an oversight hearing on Snowmobile Use in the National Park System. Testimony was heard from Representatives Simpson, Peterson of Minnesota, and Holt; Michael D. Snyder, Acting Deputy Director, National Park Service, Department of the Interior; and public witnesses.

DEATH TAX REPEAL PERMANENCY ACT

Committee on Rules: Granted by voice vote, a structured rule providing one hour of debate in the House on H.R. 8, Death Tax Repeal Permanency Act, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The rule provides for consideration of the amendment in the nature of a substitute printed in the Rules Committee report accompanying the resolution, if offered by Representative Pomeroy or his designee, which shall be considered as read and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent. The rule waives all points of order against the amendment printed in the report. Finally, the rule provides one motion to recommit with or without instruction. Testimony was heard from Representatives Hulshof and Pomeroy.

BANKRUPTCY ABUSE PREVENTION AND CONSUMER PROTECTION ACT

Committee on Rules: Heard testimony from Chairman Sensenbrenner and Representatives Watt, Scott of Virginia, Jackson-Lee of Texas, Delahunt, Schiff, Maloney, Woolsey, Hastings of Florida and Emanuel, but action was deferred on S. 256, Bankruptcy Abuse Prevention and Consumer Act of 2005.

CIA BUDGET

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on Central Intelligence Program (CIAP) Budget. Testimony was heard from departmental witnesses.

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Wednesday, April 13, 2005

Senate

Chamber Action

Routine Proceedings, pages 6154–6360

Measures Introduced: Eleven bills and one resolution were introduced, as follows: S. 769–779, and S. Res. 106.
Page 6306

Measures Reported:

Special Report entitled "The Role of Professional Firms in the U.S. Tax Shelter Industry". (S. Rept. No. 109–54)

Special Report entitled "Profiteering in a Non-Profit Industry: Abusive Practices in Credit Counseling". (S. Rept. No. 109–55)

S. 362, to establish a program within the National Oceanic and Atmospheric Administration and the United States Coast Guard to help identify, determine sources of, assess, reduce, and prevent marine debris and its adverse impacts on the marine environment and navigation safety, in coordination with non-Federal entities, with an amendment. (S. Rept. No. 109–56)

S. 39, to establish a coordinated national ocean explorationprogram within the National Oceanic and Atmospheric Administration. (S. Rept. No. 109–57)

S. 148, to establish a United States Boxing Commission toadminister the Act. (S. Rept. No. 109–58)
Page 6305

Measures Passed:

Disaster Mitigation Payments: Committee on Finance was discharged from further consideration of H.R. 1134, to amend the Internal Revenue Code of 1986 to provide for the proper tax treatment of certain disaster mitigation payments, and the bill was then passed, after agreeing to the following amendment proposed thereto:

Sessions (for Baucus) Amendment No. 411, in the nature of a substitute. **Page 6357**

Congratulating University of Denver Men's Hockey Team NCAA Champions: Senate agreed to S. Res. 106, congratulating the University of Denver Pioneer's men's hockey team, 2005 National Collegiate Athletic Association Division I Hockey Champions. **Pages 6317, 6358**

Supplemental Appropriations: Senate continued consideration of H.R. 1268, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, to establish and rapidly implement regulations for State driver's license and identification document security standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, to ensure expeditious construction of the San Diego border fence, taking action on the following amendments proposed thereto:
Page 6262

Adopted:

Durbin Amendment No. 356, to ensure that a Federal employee who takes leave without pay in order to perform service as a member of the uniformed services or member of the National Guard shall continue to receive pay in an amount which, when taken together with the pay and allowances such individual is receiving for such service, will be no less than the basic pay such individual would then be receiving if no interruption in employment had occurred. (By 39 yeas to 61 nays (Vote No. 91), Senate earlier failed to table the amendment.)
Page 6267

Kerry Amendment No. 333, to extend the period of temporary continuation of basic allowance for housing for dependents of members of the Armed Forces who die on active duty. **Page 6270**

Kerry Amendment No. 334, to increase the military death gratuity to $100,000, effective with respect to any deaths of members of the Armed Forces on active duty after October 7, 2001. (By 25 yeas to 75 nays (Vote No. 92), Senate earlier failed to table the amendment.)
Pages 6266, 6270

By 61 yeas to 38 nays (Vote No. 94), Cornyn/Feinstein Amendment No. 372, to express the sense of the Senate that Congress should not delay enactment of critical appropriations necessary to ensure the well-being of the men and women of the United States Armed Forces fighting in Iraq and elsewhere around the world, by attempting to conduct a debate about immigration reform while the supplemental appropriations bill is pending on the floor of the United States Senate. **Page 6273**

Stevens/Inouye Amendment No. 386, to provide for an increase in the amountappropriated for the Intelligence Community Management Account. **Page 6282**

Cochran (for McConnell) Amendment No. 401, of a technical nature. **Page 6292**

Cochran (for McConnell) Amendment No. 402, to address the avian influenza virus in Asia. **Page 6292**

Cochran (for Lugar/Biden) Amendment No. 403, to provide additional amounts for diplomatic and consular programs and reduce the amount available for the Global War on Terror Partners Fund. **Page 6292**

Cochran (for Leahy) Amendment No. 404, to modify language in the bill relating to environmental recovery activities in tsunami affected countries. **Page 6292**

Cochran (for Leahy) Amendment No. 405, to require five day prior notification to the Committees on Appropriations for tsunami recovery and reconstruction funds.
Page 6292

Rejected:

By 27 yeas to 71 nays (Vote No. 93), Byrd Amendment No. 367, to reduce by $36,000,000 the amount appropriated for "Military Construction, Army", with the amount of the reduction to be allocated to funds available under that heading for the Camp 6 Detention Facility at Guantanamo Bay, Cuba. **Pages 6265, 6271**

Pending:

Mikulski Amendment No. 387, to revise certain requirements for H–2B employers and require submission of information regarding H–2B nonimmigrants.
Pages 6282, 6291

Feinstein Amendment No. 395, to express the sense of the Senate that the text of the REAL ID Act of 2005 should not be included in the conference report. **Page 6290**

Bayh Amendment No. 406, to protect the financial condition of members of the reserve components of the Armed Forces who are ordered to long-term active duty in support of a contingency operation. **Page 6293**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m., on Thursday, April 14, 2005. **Page 6359**

Nominations Confirmed: Senate confirmed the following nomination:

Michael D. Griffin, of Virginia, to be Administrator of the National Aeronautics and Space Administration. (Prior to this action, Committee on Commerce, Science, and Transportation was discharged from further consideration.) **Pages 6359, 6360**

Nominations Received: Senate received the following nomination:

Robert J. Portman, of Ohio, to be United States Trade Representative, with the rank of Ambassador. **Page 6359**

Nominations Discharged: The following nominations were discharged from further committee consideration and placed on the Executive Calendar:

Daniel R. Levinson, of Maryland, to be Inspector General, Department of Health and Human Services, which was sent to the Senate on January 24, 2005, from the Senate Committee on Homeland Security and Governmental Affairs.

Howard J. Krongard, of New Jersey, to be Inspector General, Department of State, which was sent to the Senate on January 24, 2005, from the Senate Committee on Homeland Security and Governmental Affairs. **Page 6360**

Messages From the House: **Page 6302**

Measures Referred: **Page 6302**

Executive Communications: **Page 6303**

Executive Reports of Committees: **Page 6306**

Additional Cosponsors: **Page 6306**

Statements on Introduced Bills/Resolutions: **Page 6308**

Additional Statements: **Page 6300**

Amendments Submitted: **Page 6317**

Authority for Committees to Meet: **Page 6354**

Privilege of the Floor: **Page 6355**

Record Votes: Four record votes were taken today. (Total—94) **Pages 6269, 6270, 6272, 6281**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 8:11 p.m., until 9:30 a.m., on Thursday, April 14, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 6359.)

Committee Meetings

APPROPRIATIONS: LEGISLATIVE BRANCH

Committee on Appropriations: Subcommittee on Legislative Branch concluded a hearing to examine proposed budget estimates for fiscal year, after receiving testimony in behalf of funds for their respective activities from Emily Reynolds, Secretary of the Senate; and Alan Hantman, Architect of the Capitol.

APPROPRIATIONS: DEPARTMENT OF AGRICULTURE

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2006, after receiving testimony in behalf of funds for their respective activities from Keith Collins, Chief Economist, J.B. Penn, Under Secretary for Farm and Foreign Agricultural Services, Mark Rey, Under Secretary for Natural Resources and Environment, Gilbert Gonzalez, Acting Under Secretary for Rural Development, and Joseph Jen, Under Secretary for Research, Education, and Economics, all of the Department of Agriculture.

DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Readiness and Management Support concluded a hearing to examine high risk areas in the management of the Department of Defense in review of the Defense Authorization Request for fiscal year 2006, after receiving testimony from David M. Walker, Comptroller General of the United States, Government Accountability Office; Michael W. Wynne, Acting Under Secretary of Defense for Acquisition, Technology, and Logistics; and Robert J. Henke, Principal Deputy Under Secretary of Defense (Comptroller).

DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Personnel concluded a hearing to examine active and Reserve military and civilian personnel programs in review of the Defense Authorization Request for fiscal year 2006, after receiving testimony from Thomas F. Hall, Assistant Secretary of Defense for Reserve Affairs; Lieutenant General H. Steven Blum, ARNG, Chief, National Guard Bureau; Lieutenant General Roger C. Schultz, ARNG, Director, Army National Guard; Lieutenant General Daniel James, III, ANG, Director, Air National Guard; Lieutenant General James R. Helmly, USAR, Chief, Army Reserve; Vice Admiral John G. Cotton, USNR, Chief, Naval Reserve; Lieutenant General Dennis M. McCarthy, USMCR, Commander, Marine Forces Reserve; and Lieutenant General John A. Bradley, USAFR, Chief, Air Force Reserve.

FEDERAL HOME LOAN BANK SYSTEM

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the Federal Home Loan Bank System, focusing on changes and current issues affecting the system, including the promotion of housing and community development generally by making loans, also known as advances, to member financial institutions, after receiving testimony from Thomas J. McCool, Managing Director, Financial Markets and Community Investment, Government Accountability Office; George L. Engelke, Jr., Astoria Federal Savings and Loan Association, Lake Success, New York, on behalf of the Federal Home Loan Bank of New York; Paul Clabuesch, Thumb National Bank and Trust Company, Pigeon, Michigan, on behalf of the Federal Home Loan Bank of Indianapolis; John Edward Norris, III, Plantation Federal Bank, Pawleys Island, South Carolina; Alex J. Pollock, American Enterprise Institute, Washington, D.C.; and Martin Eakes, Self-Help Credit Union and Center for Responsible Lending, Durham, North Carolina.

SUBCOMMITTEE MEMBERSHIP

Committee on Commerce, Science, and Transportation: Committee announced the following subcommittee assignments:

Subcommittee on Aviation: Senators Burns (Chair), Stevens, McCain, Lott, Hutchison, Snowe, Smith, Ensign, Allen, Sununu, DeMint, Rockefeller, Inouye, Dorgan, Boxer, Cantwell, Lautenberg, Nelson (FL), Nelson (NE), and Pryor.

Subcommittee on Surface Transportation and Merchant Marine: Senators Lott (Chair), Stevens, McCain, Burns, Hutchison, Snowe, Smith, Allen, Sununu, Vitter, Inouye, Rockefeller, Dorgan, Boxer, Cantwell, Lautenberg, Nelson (NE), and Pryor.

Subcommittee on Science and Space: Senators Hutchison (Chair), Stevens, Burns, Lott, Ensign, Allen, Sununu, Nelson (FL), Rockefeller, Dorgan, Nelson (NE), and Pryor.

Subcommittee on Fisheries and the Coast Guard: Senators Snowe (Chair), Stevens, Lott, Smith, Sununu, Vitter, Cantwell, Inouye, Kerry, and Lautenberg.

Subcommittee on Trade, Tourism, and Economic Development: Senators Smith (Chair), Stevens, McCain, Burns, Ensign, Allen, Sununu, DeMint, Vitter, Dorgan, Inouye, Rockefeller, Kerry, Cantwell, Lautenberg, Nelson (FL), Nelson (NE), and Pryor.

Subcommittee on Technology, Innovation, and Competitiveness: Senators Ensign (Chair), Stevens, Burns, Lott, Hutchison, Allen, Sununu, DeMint, Kerry, Inouye, Rockefeller, Dorgan, Nelson (NE), and Pryor.

Subcommittee on Consumer Affairs, Product Safety, and Insurance: Senators Allen (Chair), Stevens, Burns, DeMint, Vitter, Pryor, Inouye, and Boxer.

Subcommittee on Global Climate Change and Impacts: Senators Vitter (Chair), Stevens, McCain, Snowe, Lautenberg, and Kerry.

Subcommittee on Disaster Prevention and Prediction: Senators DeMint (Chair), Stevens, Smith, Vitter, Nelson (NE), Cantwell, and Nelson (FL).

National Ocean Policy Study: Senators Sununu (Chair), Stevens, Lott, Hutchison, Snowe, Smith, DeMint, Vitter, Boxer, Inouye, Kerry, Cantwell, and Lautenberg.

JUNK FAX TRANSMISSIONS PROHIBITION

Committee on Commerce, Science, and Transportation: Subcommittee on Trade, Tourism, and Economic Development concluded a hearing to examine S. 714, to amend section 227 of the Communications Act of 1934 relating to the prohibition on junk fax transmissions, after receiving testimony from Steven T. Kirsch, Propel Software Corporation, San Jose, California.

NOMINATION

Committee on Energy and Natural Resources: Committee ordered favorably reported the nomination of David Garman, of Virginia, to be Under Secretary of Energy.

BUSINESS MEETING

Committee on Environment and Public Works: Committee ordered favorably reported the following business items:

S. 728, to provide for the consideration and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, with amendments; and

The nominations of Stephen L. Johnson, of Maryland, to be Administrator, and Luis Luna, of Maryland, to be Assistant Administrator for Administration and Resource Management, both of the Environmental Protection Agency, John Paul Woodley, Jr., of Virginia, to be Assistant Secretary of the Army for Civil Works, Major General Don T. Riley, United States Army, to be a Member and President of the Mississippi River Commission, Brigadier General William T. Grisoli, United States Army, to be a Member of the Mississippi River Commission, and D. Michael Rappoport, of Arizona, and Michael Butler, of Tennessee, each to be a Member of the Board of Trustees of the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation.

FREE TRADE AGREEMENT

Committee on Finance: Committee held a hearing to examine the U.S.-Central America-Dominican Republic Free Trade Agreement, focusing on textiles, rice, sugar, worker rights and labor standards, environmental provisions, and the World Trade Organization (WTO), receiving testimony from Peter F. Allgeier, Acting U.S. Trade Representative; Lochiel Edwards, Montana Grain Growers Association, Big Sandy, on behalf of sundry organizations; Terry Harris, Stuttgart, Arkansas, on behalf of the USA Rice Federation and the U.S. Rice Producers Association; Jack Roney, American Sugar Alliance, Arlington, Virginia; Mark Berlind, Kraft Foods, Inc., Northfield, Illinois; John J. Castellani, Business Roundtable, Washington, D.C.; J. Keith Crisco, Asheboro Elastics Corporation, Asheboro, North Carolina; Patricia A. Forkan, Humane Society International, Gaithersburg, Maryland; and Mark Levinson, UNITE HERE!, New York, New York.

Hearing recessed subject to the call.

NOMINATIONS:

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Daniel Fried, of the District of Columbia, to be an Assistant Secretary of State for European Affairs, and Robert Joseph, of Virginia, to be Under Secretary of State for Arms Control and International Security, after the nominees testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on Homeland Security and Governmental Affairs: Committee ordered favorably reported the following business items:

S. 21, to provide for homeland security grant coordination and simplification, with an amendment in the nature of a substitute;

S. 335, to reauthorize the Congressional Award Act;

S. 494, to amend chapter 23 of title 5, United States Code, to clarify the disclosures of information protected from prohibited personnel practices, require a statement in nondisclosure policies, forms, and agreements that such policies, forms, and agreements conform with certain disclosure protections, provide certain authority for the Special Counsel; and

S. 501, to provide a site for the National Women's History Museum in the District of Columbia.

INDIAN HEALTH

Committee on Indian Affairs: Committee held an oversight hearing to examine the status of Indian health care issues, focusing on health disparities, access to health care, Community Health Aide Program (CHAP), Urban Indian health, Indian self-determination, mental health and substance abuse services, and related provisions of the Medicare Modernization Act, receiving testimony from Charles W. Grim, Director, Gary J. Hartz, Director, Office of Environmental Health and Engineering, W. Craig Vanderwagen, Acting Chief Medical Officer, all of the Indian Health Service, and A. Kathryn Power, Director, Center for Mental Health Services, Substance Abuse and Mental Health Services Administration, all of the Department of Health and Human Services; H. Sally Smith, National Indian Health Board, and Georgiana Ignace, National Council on Urban Indian Health, both of Washington, D.C.; Rachel A. Joseph, Lone Pine Paiute Shoshone Reservation, Lone Pine, California; and Anslem Roanhorse, Jr., The Navajo Nation Division of Health, Window Rock, Arizona.

Hearing recessed subject to the call.

SECURING ELECTRONIC PERSONAL DATA

Committee on the Judiciary: Committee concluded a hearing to examine securing electronic personal data, focusing on striking a balance between privacy and commercial and governmental use, focusing on laws currently applicable to resellers of consumer information, commonly known as "data brokers", after receiving testimony from Deborah Platt Majoras, Chairman, Federal Trade Commission; Chris Swecker, Assistant Director, Criminal Investigative Division, Federal Bureau of Investigation, Department of Justice; Larry D. Johnson, Special Agent in Charge, Criminal Investigative Division, Secret Service, Department of Homeland Security; Vermont Attorney General William H. Sorrell, Montpelier, on behalf of the National Association of Attorneys General; Douglas C. Curling, ChoicePoint Inc., Alpharetta, Georgia; Kurt P. Sanford, LexisNexis Group, Miamisburg, Ohio; Jennifer T. Barrett, Acxiom Corporation, Little Rock, Arkansas; James X. Dempsey, Center for Democracy and Technology, Washington, D.C.; and Robert Douglas, PrivacyToday.com, Steamboat Springs, Colorado.

FEDERAL AND STATE MARRIAGE INITIATIVES

Committee on the Judiciary: Subcommittee on the Constitution, Civil Rights and Property Rights concluded a hearing to examine judicial activism regarding federal and state marriage protection initiatives, focusing on the Defense of Marriage Act, after receiving testimony from Lynn D. Wardle, Brigham Young University J. Reuben Clark Law School, Provo, Utah; Gerard V. Bradley, University of Notre Dame Law School, Notre Dame, Indiana; and Kathleen Moltz, Wayne State University School of Medicine, Detroit, Michigan.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Measures Introduced: 41 public bills, H.R. 1587–1627; 1 private bill, H.R. 1628 and; 3 resolutions, H.J. Res. 41; H. Con. Res. 131, and H. Res. 212 were introduced. **Page 6250**

Additional Cosponsors: **Page 6252**

Reports Filed: Reports were filed today as follows:

H.R. 902, to improve circulation of the $1 coin, create a new bullion coin, amended (H. Rept. 109–39);

H.R. 458, to prevent the sale of abusive insurance and investment products to military personnel (H. Rept. 109–40);

H.R. 525, to amend title I of the Employee Retirement Income Security Act of 1974 to improve access and choice for entrepreneurs with small businesses with respect to medical care for their employees (H. Rept. 109–41);

H.R. 798, to provide for a research program for remediation of closed methamphetamine production laboratories, amended (H. Rept. 109–42); and

H. Res. 211, providing for consideration of S. 256, to amend title 11 of the United States Code (H. Rept. 109–43). **Page 6250**

Speaker: Read a letter from the Speaker wherein he appointed Representative Capito to act as Speaker Pro Tempore for today. **Page 6178**

Chaplain: The prayer was offered today by Dr. Curt Dodd, Senior Pastor, Westside Church in Omaha, Nebraska. **Page 6178**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Justin W. Williams United States Attorney's Building Designation Act: H.R. 1463, to designate a portion of the Federal building located at 2100 Jamieson Avenue, in Alexandria, Virginia, as the "Justin W. Williams United States Attorney's Building", by a ⅔ yea-and-nay vote of 427 yeas with none voting "nay", Roll No. 98; **Pages 6182, 6199**

Reynaldo G. Garza and Filemon B. Vela United States Courthouse Designation Act: H.R. 483, to designate a United States courthouse in Brownsville, Texas, as the "Reynaldo G. Garza and Filemon B. Vela United States Courthouse"; and **Page 6184**

Robert T. Matsui United States Courthouse Designation Act: H.R. 787, to designate the United States courthouse located at 501 I Street in Sacramento, California, as the "Robert T. Matsui United States Courthouse", by a ⅔ yea-and-nay vote of 426 yeas with none voting "nay", Roll No. 99. **Pages 6186, 6200**

Death Tax Repeal Permanency Act of 2005: The House passed H.R. 8, to make the repeal of the estate tax permanent, by a recorded vote of 272 ayes to 162 noes, Roll No. 102. **Page 6201**

Rejected the Pomeroy amendment in the nature of a substitute (printed in H. Rept. 109–35) by a recorded vote of 194 ayes to 238 noes, Roll No. 101. **Page 6213**

H. Res. 202, the rule providing for consideration of the bill was agreed to by voice vote, after agreeing to order the previous question by a yea and nay vote of 237 yeas to 195 nays, Roll No. 100. **Page 6190**

Recess: The House recessed at 12:30 p.m. and reconvened at 1:38 p.m. **Page 6199**

Quorum Calls—Votes: Three yea and nay votes and two recorded votes developed during the proceedings of today and appear on pages 6199–6201 and 6223–24. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 8:47 p.m.

Committee Meetings

AGRICULTURE, RURAL DEVELOPMENT, FDA, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on the Department of Labor, Health and Human Services, Education, and Related Agencies held a hearing on Centers for Medicare and Medicaid Services, and on the Administration on Aging. Testimony was heard from the following officials of the Department of Health and Human Services: Mark McClellan, M.D., Administrator, Centers for Medicare and Medicaid Services; Josefina G. Carbonell, Assistant Secretary, Aging, Administration on Aging; and William Beldon, Deputy Assistant Secretary, Budget.

DEPARTMENTS OF TRANSPORTATION, TREASURY, HUD, THE JUDICIARY, DISTRICT OF COLUMBIA, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia and Independent Agencies held a hearing on the OMB. Testimony was heard from Joshua B. Bolton, Director, OMB.

FOREIGN OPERATIONS, EXPORT FINANCING AND RELATED PROGRAMS APPROPRIATIONS

Committee on Appropriations: Subcommittee on Foreign Operations, Export Financing and Related Programs held a hearing on the Millennium Challenge Corporation. Testimony was heard from Paul V. Applegarth, CEO, Millennium Challenge Corporation.

INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held a hearing on the National Park Service. Testimony was heard from Fran Mainella, Director, National Park Service, Department of the Interior.

OSHA/RECREATIONAL BOATING JOBS MEASURES

Committee on Education and the Workforce: Ordered reported the following bills: H.R. 739, Occupational Safety and Health Small Business Day in Court Act of 2005; H.R. 740, amended, Occupational Safety and Health Review Commission Efficiency Act of 2005; H.R. 741, amended, Occupational Safety and Health Independent Review of OSHA Citations Act of 2005; H.R. 742, Occupational Safety and Health Small Employer Access to Justice Act of 2005; and H.R. 940, amended, Recreational Marine Employment Act of 2005.

ENERGY POLICY ACT

Committee on Energy and Commerce: Ordered reported, as amended, the Energy Policy Act of 2005.

GOVERNMENT-SPONSORED ENTERPRISES REGULATORY REFORM

Committee on Financial Services: Held a hearing entitled "The Administration Perspective on GSE Regulatory Reform." Testimony was heard from John W. Snow, Secretary of the Treasury; and Alphonso R. Jackson, Secretary of Housing and Urban Development.

NET WORTH AMENDMENT FOR CREATE UNIONS ACT

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing on H.R. 1042, Net Worth Amendment for Credit Unions Act. Testimony was heard from JoAnn Johnson, Chairman, National Credit Union Administration; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Government Reform: Ordered reported the following measures: H.R. 22, amended, Postal Accountability and Enhancement Act; H.R. 1533, amended, Federal Energy Management Improvement Act of 2005; H.R. 504, To designate the facility of the United States Postal Service located at 4960 West Washington Boulevard in Lost Angeles, California, as the "Ray Charles Post Office Building"; H.R. 1001, To designate the facility of the United States Postal Service located at 301 South Heatherwilde Boulevard in Pflugerville, Texas, as the "Sergeant Byron W. Norwood Post Office Building"; H.R. 1072, To designate the facility of the United States Postal Service located at 151 West End Street in Goliad, Texas, as the "Judge Emilio Vargas Post Office Building"; H.R. 1082, To designate the facility of the United States Postal Service located at 120 East Illinois Avenue in Vinita, Oklahoma, as the "Francis C. Goodpaster Post Office Building"; H.R. 1236, To designate the facility of the United States Postal Service located at 750 4th Street in Sparks, Nevada, as the "Mayor Tony Armstrong Memorial Post Office"; H.R. 1524, To designate the facility of the United States Postal Service located at 12433 Antioch Road in Overland Park, Kansas, as the "Ed Eilert Post Office Building"; H.R. 1542, To designate the facility of the United States Postal Service located at 695 Pleasant Street in New Bedford, Massachusetts, as the "Honorable Judge George N. Leighton Post Office Building"; H. Res. 184, Recognizing a National Week of Hope in commemoration of the 10-year anniversary of the terrorist bombing in Oklahoma City; H. Con. Res. 41, Recognizing the second century of Big Brothers Big Sisters, and supporting the mission and goals of that organization; and H. Res. 197, Honoring Franklin Delano Roosevelt.

DEPARTMENT OF HOMELAND SECURITY PROMOTING PRIORITIZATION AND MANAGEMENT

Committee on Homeland Security: Held a hearing entitled "The Department of Homeland Security: Promoting Risk-Based Prioritization and Management." Testimony was heard from Michael Chertoff, Secretary of Homeland Security.

GLOBAL AIDS CRISIS—U.S. RESPONSE

Committee on International Relations: Held a hearing on U.S. Response to Global AIDS Crisis: A Two-Year Review, Testimony was heard from Randall L. Tobias, U.S. Global AIDS Coordinator, Department of State; and public witnesses.

IRAN FREEDOM SUPPORT ACT

Committee on International Relations: Subcommittee on Middle East and Central Asia approved for full Committee action, as amended, H.R. 282, Iran Freedom Support Act.

U.S. TRADE AGREEMENTS WITH LATIN AMERICA

Committee on International Relations: Subcommittee on Western Hemisphere held a hearing on U.S. Trade Agreements with Latin America. Testimony was heard from Representatives Brady of Texas, and Becerra; former Representative Cass Ballenger of North Carolina; and public witnesses.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Ordered reported the following bills: H.R. 32, amended, Stop Counterfeiting in Manufactured Goods Act; H.R. 748, amended, Child Interstate Abortion Notification Act; and H.R. 866, To make technical corrections to the United States Code.

The Committee also began mark up of H.R. 1279, Gang Deterrence and Community Protection Act of 2005.

OVERSIGHT—IMMIGRATION AND ALIEN GANG EPIDEMIC

Committee on the Judiciary: Subcommittee on Immigration, Border Security, and Claims held an oversight hearing on Immigration and the Alien Gang Epidemic: Problems and Solutions. Testimony was heard from Michael Garcia, Assistant Secretary, Immigration and Customs Enforcement, Department of Homeland Security; and public witnesses.

DOMESTIC ENERGY SECURITY ACT

Committee on Resources: Ordered reported, as amended, the Domestic Energy Security Act.

OVERSIGHT—GRAZING AND RANGE CONSERVATION

Committee on Resources: Subcommittee on Forests and Forest Health held an oversight hearing on Management Challenges for Grazing and Range Conservation in the Forest Service and the Bureau of Land Management. Testimony was heard from public witnesses.

DROUGHT IMPACT REDUCTION

Committee on Resources: Subcommittee on Water and Power held an oversight hearing entitled "The Role of New Surface and Groundwater Storage in Providing Reliable Water and Power Supplies and Reducing Drought's Impacts." Testimony was heard from public witnesses.

BANKRUPTCY ABUSE PREVENTION AND CONSUMER PROTECTION ACT OF 2005

Committee on Rules: Granted, by a vote of 7 to 4, a closed rule providing one hour of debate on S. 256, Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, in the House equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against the bill and against its consideration. Finally, the rule provides one motion to recommit with or without instructions.

GREEN CHEMISTRY RESEARCH AND DEVELOPMENT ACT

Committee on Science: Ordered reported, as amended, H.R. 1215, Green Chemistry Research and Development Act of 2005.

SMALL BUSINESS INVESTMENT COMPANIES PROGRAM

Committee on Small Business: Held a hearing entitled "Private Equity for Small Firms: The Importance of the Participating Securities Program." Testimony was heard from Jaime Guzman-Fournier, Associate Administrator, Office of Investment, SBA; and public witnesses.

COAST GUARD AND MARITIME TRANSPORTATION ACT OF 2005

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation approved for full Committee action H.R. 889, Coast Guard and Maritime Transportation Act of 2005.

OVERSIGHT—WASTEWATER BLENDING

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment held an oversight hearing on Wastewater Blending. Testimony was heard from Representative Stupak; and public witnesses.

ENHANCED ENERGY INFRASTRUCTURE AND TECHNOLOGY TAX ACT OF 2005

Committee on Ways and Means: Ordered reported, as amended, H.R. 1541, Enhanced Energy Infrastructure and Technology Tax Act of 2005.

FBI BUDGET

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on FBI Budget. Testimony was heard from departmental witnesses.

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Thursday, April 14, 2005

Senate

Chamber Action

Routine Proceedings, pages 6518–6628

Measures Introduced: Thirty-one bills and seven resolutions were introduced, as follows: S. 780–810, S.J. Res. 12–13, S. Res. 107–110, and S. Con. Res. 27. **Page 6562**

Measures Reported:

S. 119, to provide for the protection of unaccompanied alien children, with an amendment.

S. 555, to amend the Sherman Act to make oil-producing and exporting cartels illegal. **Page 6562**

Measures Passed:

Robert T. Matsui U.S. Courthouse: Senate passed H.R. 787, to designate the United States courthouse located at 501 I Street in Sacramento, California, as the "Robert T. Matsui United States Courthouse", clearing the measure for the President. **Page 6624**

University of Oklahoma Sooner Men's Gymnastics Champions: Senate agreed to S. Res. 109, commending the University of Oklahoma Sooners men's gymnastics team for winning the National Collegiate Athletic Association Division I Men's Gymnastics Championship. **Page 6625**

Oklahoma State University's Wrestling Team Champions: Senate agreed to S. Res. 110, commending Oklahoma State University's wrestling team for winning the 2005 National Collegiate Athletic Association Division I Wrestling Championship. **Page 6625**

National Month of the Military Child: Senate agreed to S. Con. Res. 27, honoring military children during "National Month of the Military Child". **Page 6626**

Supplemental Appropriations: Senate continued consideration of H.R. 1268, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, to establish and rapidly implement regulations for State driver's license and identification document security standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, to ensure expeditious construction of the San Diego border fence, taking action on the following amendments proposed thereto: **Page 6525**

Adopted:

Cochran (for Leahy/Obama) Amendment No. 422, of a technical nature. **Page 6528**

Cochran (for Salazar) Modified Amendment No. 370, to provide assistance to promote democracy in Lebanon. **Page 6528**

Cochran (for Leahy) Amendment No. 423, to provide reprogramming authority for certain accounts in the Departments of Commerce, Justice, State, the Judiciary, and Related Agencies Appropriations Act, 2005. **Page 6528**

Cochran (for Reid/Levin) Amendment No. 361, to express the sense of the Senate that veterans with a service-connected disability rated as total by virtue of unemployability should be treated as covered by the repeal of the phase-in of concurrent receipt of retired pay and veterans disability compensation for military retirees. **Page 6529**

Cochran Amendment No. 424, of a technical nature. **Page 6530**

By a unanimous vote of 98 yeas (Vote No. 95), Byrd Modified Amendment No. 430, to prohibit the use of funds by any Federal agency to produce a prepackaged news story without including in such story a clear notification for the audience that the story was prepared or funded by a Federal agency. **Page 6540**

Obama Amendment No. 390, to provide meal and telephone benefits for members of the Armed Forces who are recuperating from injuries incurred on active duty in Operation Iraqi Freedom or Operation Enduring Freedom. **Page 6551**

Cochran (for Salazar) Amendment No. 352, to rename the death gratuity payable for deaths of members of the Armed Forces as fallen hero compensation. **Page 6553**

Cochran (for Specter) Amendment No. 438, to make a technical correction to cite the proper section intended to repeal the Department of Labor's transfer authority. **Page 6553**

Cochran (for Graham) Amendment No. 354, to prohibit the implementation of certain orders and guidance on the functions and duties of the General Counsel and Judge Advocate General of the Air Force. **Page 6553**

Cochran (for Kennedy) Amendment No. 393, to clarify the limitation on the implementation of mission changes for specified Veterans Health Administration Facilities. **Page 6553**

Cochran (for Warner) Amendment No. 394, to require a report on the re-use and redevelopment of military installations closed or realigned as part of the 2005 round of base closure and realignment. **Page 6554**

Pending:

Mikulski Amendment No. 387, to revise certain requirements for H–2B employers and require submission of information regarding H–2B nonimmigrants. **Pages 6525, 6530, 6535, 6548**

Feinstein Amendment No. 395, to express the sense of the Senate that the text of the REAL ID Act of 2005 should not be included in the conference report. **Pages 6525, 6555**

Bayh Amendment No. 406, to protect the financial condition of members of the reserve components of the Armed Forces who are ordered to long-term active duty in support of a contingency operation. **Page 6525**

Durbin Amendment No. 427, to require reports on Iraqi security services. **Page 6530**

Salazar Amendment No. 351, to express the sense of the Senate that the earned income tax credit provides critical support to many military and civilian families. **Page 6536**

Dorgan/Durbin Amendment No. 399, to prohibit the continuation of the independent counsel investigation of Henry Cisneros past June 1, 2005 and request an accounting of costs from GAO. **Page 6550**

Reid Amendment No. 445, to achieve an acceleration and expansion of efforts to reconstruct and rehabilitate Iraq and to reduce the future risks to United States Armed Forces personnel and future costs to United States taxpayers, by ensuring that the people of Iraq and other nations do their fair share to secure and rebuild Iraq. **Page 6554**

A motion was entered to close further debate on Mikulski Amendment No. 387 (listed above) and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Saturday, April 16, 2005.

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 9:30 a.m., on Thursday, April 14, 2005. **Page 6626**

Nominations Received: Senate received the following nominations:

Phyllis F. Scheinberg, of Virginia, to be an Assistant Secretary of Transportation.

David R. Hill, of Missouri, to be General Counsel of the Department of Energy.

Craig Roberts Stapleton, of Connecticut, to be Ambassador to France.

Eduardo Aguirre, Jr., of Texas, to be Ambassador to Spain, and to serve concurrently and without additional compensation as Ambassador to Andorra.

Emil A. Skodon, of Illinois, to be Ambassador to Brunei Darussalam.

2 Air Force nominations in the rank of general.

5 Army nominations in the rank of general.

1 Navy nomination in the rank of admiral.

Routine lists in the Army. **Page 6626**

Messages From the House: **Page 6560**

Measures Referred: **Page 6560**

Executive Communications: **Page 6560**

Executive Reports of Committees: **Page 6562**

Additional Cosponsors: Page 6564

Statements on Introduced Bills/Resolutions: Page 6566

Additional Statements: Page 6557

Amendments Submitted: Page 6602

Notices of Hearings/Meetings: Page 6623

Authority for Committees to Meet: Page 6624

Privilege of the Floor: Page 6624

Record Votes: One record vote was taken today. (Total—95) Page 6551

Adjournment: Senate convened at 9:30 a.m., and adjourned at 7:20 p.m., until 9:30 a.m., on Friday, April 15, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 6626.)

Committee Meetings

APPROPRIATIONS: HUD

Committee on Appropriations: Subcommittee on Transportation, Treasury, the Judiciary, Housing and Urban Development, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the Department of Housing and Urban Development, after receiving testimony from Alphonso Jackson, Secretary of Housing and Urban Development.

APPROPRIATIONS: DEPARTMENT OF AGRICULTURE

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2006, after receiving testimony in behalf of funds for their respective activities from William T. Hawks, Under Secretary for Marketing and Regulatory Programs, Eric M. Bost, Under Secretary for Food, Nutrition, and Consumer Services, and Merle D. Pearson, Acting Under Secretary for Food Safety and Inspection, all of the Department of Agriculture.

APPROPRIATIONS: NATIONAL NUCLEAR SECURITY ADMINISTRATION

Committee on Appropriations: Subcommittee on Energy and Water, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2006, after receiving testimony in behalf of funds for his respective activities from Linton F. Brooks, Under Secretary for Nuclear Security and Administrator, National Nuclear Security Administration, Department of Energy.

NATIONAL SECURITY PERSONNEL SYSTEM

Committee on Armed Services: Committee concluded a hearing to examine implementation by the Department of Defense of the National Security Personnel System, focusing on pay, performance, accountability, staffing flexibilities, and labor relations, after receiving testimony from Gordon R. England, Secretary of the Navy; Dan G. Blair, Acting Director, Office of Personnel Management; Derek B. Stewart, Director, Military and Department of Defense Civilian Personnel Issues, Government Accountability Office; and John Gage, American Federation of Government Employees, and Hannah S. Sistare, National Academy of Public Administration, both of Washington, D.C.

DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Airland concluded a hearing to examine Air Force acquisition oversight in review of the Defense Authorization Request for Fiscal Year 2006, after receiving testimony from Paul J. McNulty, U.S. Attorney for the Eastern District of Virginia, Department of Justice; Joseph E. Schmitz, Inspector General, Michael L. Dominguez, Acting Secretary of the Air Force, and Sallie Flavin, Deputy Director, Defense Contract Management Agency, all of the Department of Defense; and Daniel I. Gordon, Managing Associate General Counsel for Procurement Law, Government Accountability Office.

TERRORISM RISK INSURANCE PROGRAM

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the implementation of the Terrorism Risk Insurance Program, focusing on the role of the Federal government in ensuring that insurance to protect against losses from acts of terrorism remains available to Americans, after receiving testimony from Douglas Holtz-Eakin, Director, Congressional Budget Office; Howard Mills, New York State Department of Insurance, Albany, on behalf of the National Association of Insurance Commissioners; and Ernst Csiszar, Property Casualty Insurers Association of America, J. Robert Hunter, Consumer Federation of America, Brian Duperreault, ACE Limited, on behalf of the American Insurance Association, Franklin W. Nutter, Reinsurance Association of America, and Robert J. Lowe, Lowe Enterprises, on behalf of the Coalition to Insure Against Terrorism, all of Washington, D.C.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the following business items:

S. 364, to establish a program within the National Oceanic Atmospheric Administration to integrate Federal coastal and ocean mapping activities, with amendments;

S. 714, to amend section 227 of the Communications Act of 1934 relating to the prohibition on junk fax transmissions, with amendments;

S. 432, to establish a digital and wireless network technology program;

An original bill, to reauthorize and improve surface transportation safety programs; and

The nominations of a National Oceanic and Atmospheric Administration Promotion List, and 2 Coast Guard Promotion Lists.

TAX GAP

Committee on Finance: Committee held a hearing to examine issues relating to the amount of taxes, including individual income, corporate income, employment, estate, and excise, owed by taxpayers and the amount voluntarily paid on time (the so-called "tax gap"), focusing on tax laws and enforcement, pensions and employee benefits, and fraud, receiving testimony from George K. Yin, Chief of Staff, Joint Committee on Taxation; Eileen J. O'Connor, Assistant Attorney General, Tax Division, Department of Justice; David M. Walker, Comptroller General of the United States, Government Accountability Office; Mark Everson, Commissioner, Kevin M. Brown, Commissioner, Small Business/Self-Employed Division, and Nancy J. Jardini, Chief, Criminal Investigation, all of the Internal Revenue Service, and J. Russell George, Inspector General for Tax Administration, all of the Department of the Treasury; and Nina E. Olson, National Taxpayer Advocate, Washington, D.C.

Hearing recessed subject to the call.

UNFUNDED MANDATES REFORM ACT

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce and the District of Columbia concluded an oversight hearing to examine a review of the Unfunded Mandates Reform Act of 1995, focusing on the impact the Act has had on Federal, state, and local governments and explore if changes are necessary to strengthen the law's procedures, definitions, and exclusions, after receiving testimony from Orice M. Williams, Director, Strategic Issues, Government Accountability Office; John D. Graham, Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget; Elizabeth Robinson, Deputy Director, Congressional Budget Office; Maryland Delegate John Hurson, Annapolis, on behalf of the National Conference of State Legislatures; Colleen Landkamer, Blue Earth County, Mankato, Minnesota, on behalf of the National Association of Counties; and Nick Licata, City of Seattle, Washington, on behalf of the National League of Cities.

U.S. POSTAL SERVICE

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the ongoing need for comprehensive postal reform, focusing on United States Postal Service reform that includes self-financing, transparency, flexibility, accountability and corporate best practices, after receiving testimony from Timothy S. Bitsberger, Assistant Secretary of the Treasury for Financial Markets; Dan G. Blair, Acting Director, Office of Personnel Management; John E. Potter, Postmaster General, U.S. Postal Service; and David M. Walker, Comptroller General of the United States, Government Accountability Office.

EDUCATION OPPORTUNITIES

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine lifelong education opportunities, focusing on S. 694, to amend the Workforce Investment Act of 1998 to provide for a job training grant pilot program, after receiving testimony from Elaine L. Chao, Secretary of Labor; Margaret Spellings, Secretary of Education; Kentucky Governor Ernie Fletcher, Frankfort, and Kansas Governor Kathleen Sebelius, Topeka, both on behalf of the National Governors Association; Steve Gunderson, The Greystone Group, Arlington, Virginia; Brian K. Fitzgerald, The Business-Higher Education Forum, Washington, D.C.; and Pamela Boisvert, Colleges of Worcester Consortium, Worcester, Massachusetts.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 119, to provide for the protection of unaccompanied alien children, with an amendment;

S. 555, to amend the Sherman Act to make oil-producing and exporting cartels illegal, and

The nominations of Thomas B. Griffith, of Utah, to be a United States Circuit Judge for the District of Columbia Circuit, Robert J. Conrad, Jr., to be United States District Judge for the Western District of North Carolina, and James C. Dever III, to be United States District Judge for the Eastern District of North Carolina.

IMMIGRATION REFORM

Committee on the Judiciary: Subcommittee on Immigration, Border Security and Citizenship and Subcommittee on Terrorism, Technology, and Homeland Security concluded joint hearings to examine immigration reform issues, focusing on deportation and related issues relating to strengthening interior enforcement, after receiving testimony from Jonathan Cohn, Deputy Assistant Attorney General, Civil Division, Department of Justice; Victor X. Cerda, Acting Director of Detention and Removal Operations, Immigration and Customs Enforcement, and David Venturella, former Acting Director of the Office of Detention and Removal Operations, both of the Department of Homeland Security; and Lee Gelernt, American Civil Liberties Union Immigrant's Rights Project, Washington, D.C.

NOMINATION

Select Committee on Intelligence: Committee concluded a hearing to examine the nomination of Lieutenant General Michael V. Hayden, United States Air Force, to be Principal Deputy Director of National Intelligence, after the nominee, who was introduced by Senator Mikulski and

Representative Murtha, testified and answered questions in his own behalf.

BUSINESS MEETING

Select Committee on Intelligence: Committee met in closed session and ordered favorably reported the nominations of John D. Negroponte, of New York, to be Director of National Intelligence, and Lieutenant General Michael V. Hayden, United States Air Force, to be Principal Deputy Director of National Intelligence.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Measures Introduced: 44 public bills, H.R. 1629–1672; 1 private bill, H.R. 1673 and; 8 resolutions, H.J. Res. 42; H. Con. Res. 132–133, and H. Res. 213–217 were introduced. **Page 6513**

Additional Cosponsors: **Page 6516**

Reports Filed: Reports were filed today as follows:

H.R. 804, to exclude from consideration as income certain payments under the national flood insurance program (H. Rept. 109–44). **Page 6513**

Bankruptcy Abuse Prevention and Consumer Protection Act of 2005: The House passed S. 256, to amend title 11 of the United States Code, by a yea-and-nay vote of 302 yeas to 126 nays, Roll No. 108—clearing the measure for the President. **Page 6400**

Rejected the Schakowsky motion to recommit the bill to the Committee on the Judiciary with instructions to report the bill back to the House forthwith with an amendment, by a recorded vote of 200 yeas to 229 nays, Roll No. 107. **Page 6487**

H. Res. 211, the rule providing for consideration of the measure was agreed to by a recorded vote of 227 ayes to 196 noes, Roll No. 105, after agreeing to order the previous question by a yea-and-nay vote of 227 yeas to 199 nays, Roll No. 104. **Pages 6381, 6395**

Motion to Adjourn: Rejected the Woolsey motion to adjourn by a yea-and-nay vote of 49 yeas to 371 nays, Roll No. 103. **Page 6394**

Privileged Resolution: The House agreed to table H. Res. 213, relating to a question of privileges of the House, by a yea-and-nay vote of 218 yeas to 195 nays, Roll No. 106. **Page 6399**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 2 p.m. on Monday, April 18, and further, that when the House adjourns on that day, it adjourn to meet at 12:30 p.m. on Tuesday, April 19 for Morning Hour debate. **Page 6494**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, April 20. **Page 6494**

Board of Visitors to the United States Coast Guard Academy—Appointment: The Chair announced the Speaker's appointment of Representative Simmons to the Board of Visitors to the United States Coast Guard Academy. **Page 6494**

Board of Visitors of the United States Merchant Marine Academy—Appointment: The Chair announced the Speaker's appointment of Representative King (NY) to the Board of Visitors to the United States Merchant Marine Academy. **Page 6494**

Board of Visitors to the United States Military Academy—Appointment: The Chair announced the Speaker's appointment of the following Members to the Board of Visitors to the United States Military Academy: Representatives Kelly and Taylor (NC). **Page 6494**

Mexico-United States Interparliamentary Group—Appointment: The Chair announced the Speaker's appointment of the following Members to the Mexico-United States Interparliamentary Group: Representatives Kolbe and Harris. **Page 6494**

Amending the Internal Revenue Code of 1986 with regard to disaster mitigation payments: The House agreed by unanimous consent to concur in the Senate amendment and pass H.R. 1134, to amend the Internal Revenue Code of 1986 to provide for the proper tax treatment of certain disaster mitigation payments—clearing the measure for the President. **Page 6494**

Senate Message: Message received from the Senate today appears on page 6378.

Quorum Calls—Votes: Five yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages 6394, 6398–6400, and 6488–89. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 6:48 p.m.

Committee Meetings

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense held a hearing on Recruiting and Retention. Testimony was heard from the following officials of the Department of Defense: Charles S. Abell, Principal Deputy Under Secretary, Personnel and Readiness; LTG Franklin Hagenbeck, Chief of Staff, U.S. Army; LTG Roger Schultz, Director, Army National Guard; and LTG James R. Helmly, USAR, Chief of Army Reserve.

DEPARTMENT OF HOMELAND SECURITY

Committee on Appropriations: Subcommittee on The Department of Homeland Security held a hearing on Science and

Technology. Testimony was heard from Charles McQueary, Under Secretary, Science and Technology, Department of Homeland Security.

DEPARTMENT OF LABOR, HHS, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on the Department of Labor, Health and Human Services, Education, and Related Agencies continued appropriation hearings. Testimony was heard from public witnesses.

DEPARTMENT OF TRANSPORTATION, TREASURY, AND HUD, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and Independent Agencies held a hearing on the Election Assistance Commission, and the Consumer Product Safety Commission. Testimony was heard from the following officials of the Election Assistance Commission: Cracia Hillman, Chairman, Paul DeGregorio, Vice Chairman; Mel Martinez and DeForest Soaries, both Commissioners; and the following officials of the Consumer Product Safety Commission: Hal Stratton, Chairman; and Thomas H. Moore, Vice Chairman.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Foreign Operations, Export Financing, and Related Agencies continued appropriation hearings. Testimony was heard from Members of Congress and public witnesses.

INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies continued appropriations hearings. Testimony was heard from public witnesses.

EUROPEAN UNION—WEAPONS TRADE TO CHINA

Committee on Armed Services: and the Committee on International Relations held a joint hearing regarding U.S. national security and foreign policy implications of arms exports to the People's Republic of China by member states of the European Union. Testimony was heard from R. Nicholas Burns, Under Secretary, Political Affairs, Department of State; Peter Rodman, Assistant Secretary, International Affairs, Department of Defense; and Peter Lichtenbaum, Acting Under Secretary, Industry and Security, Department of Commerce.

DOD ROTORCRAFT PROGRAMS

Committee on Armed Services: Subcommittee on Tactical Air and Land Forces held a hearing on the Fiscal Year 2006 National Defense Authorization budget request on the Department of Defense's major rotorcraft programs. Testimony was heard from the following officials of the Department of Defense: William Balderson, Deputy Secretary of the Navy (Air Programs), Department of the Navy; BG Martin Post, USMC, Assistant Deputy Commandant for Aviation; David Duma, Acting Director, Operational Test and Evaluation, Office of the Secretary; MG Robert Bishop, Jr., USMC, Assistant Deputy Chief of Staff, Air and Space Operations; and BG Jeff Schloesser, USA, Director, Army Aviation Task Force.

HEAD START

Committee on Education and the Workforce: Subcommittee on Education Reform held a hearing on The Best of Head Start: Learning from Model Programs. Testimony was heard frompublic witnesses.

SATELLITE COMMUNICATIONS PRIVATIZING

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held a hearing entitled "The ORBIT Act: An Examination of Progress Made in Privatizing the Satellite Communications Marketplace." Testimony was heard from Donald Abelson, Chief, International Bureau, FCC; JayEtta Z. Hecker, Director, Physical Infrastructure, Office of Congressional Relations, GAO; and public witnesses.

NATIONAL FLOOD INSURANCE PROGRAM

Committee on Financial Services: Subcommittee on Housing and Community Opportunity held a hearing entitled "Review and Oversight of the National Flood Insurance Program." Testimony was heard from David Maurstad, Mitigation Division Director and Flood Insurance Administrator, Emergency Preparedness and Response Directorate, Department of Homeland Security; William O. Jenkins, Jr., Director, Homeland Security and Justice, GAO; Alfred W. Redmer, Jr., Commissioner, Insurance Administration, State of Maryland; and public witnesses.

FIRST RESPONDER FUNDING

Committee on Homeland Security: Held a hearing entitled "Grant Reform: The Faster and Smarter Funding for First Responders Act of 2005." Testimony was heard from Lee H. Hamilton, Vice Chair, National Commission on Terrorist Attacks Upon the United States; and public witnesses.

DEPARTMENT OF HOMELAND SECURITY—STRENGTHEN INFORMATION SECURITY

Committee on Homeland Security: Subcommittee on Management, Integration, and Oversight held a hearing entitled "The Need to Strengthen Information Security at the Department of Homeland Security." Testimony was heard from Steven I. Cooper, Chief Information Officer, Department of Homeland Security; Gregory C. Wilshusen, Director, Information Security Issues, GAO; and public witnesses.

STATE DEPARTMENT MANAGEMENT INITIATIVES FUNDING

Committee on International Relations: Subcommittee on Africa, Global Human Rights, and International Operations held a hearing on Foreign Relations Authorization for FY 2005–2006: Department of State Management Initiatives. Testimony was heard from the following officials of the Department of State: Christopher B. Burnham, Acting Under Secretary, Management; and Louise Crane, Vice President, American Foreign Service Association.

AVERTING NUCLEAR TERRORISM

Committee on International Relations: Subcommittee on International Terrorism and Nonproliferation held a hearing on Averting Nuclear Terrorism. Testimony was heard from R. James Woolsey, former Director, CIA; and public witnesses.

OVERSIGHT—FISHERIES CONSERVATION

Committee on Resources: Subcommittee on Fisheries and Oceans held an oversight hearing on the Relationship between the Magnuson-Stevens Fishery Conservation and Management Act and the National Environmental Policy Act. Testimony was heard from Dinah Bear, General Counsel, Council on Environmental Quality; William T. Hogarth, Director, National Marine Fisheries Service, NOAA, Department of Commerce; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on National Parks held a hearing on the following bills: H.R. 432, Betty Dick Residence Protection Act; H.R. 481, Sand Creek Massacre National Historic Site Trust Act of 2005; and H.R. 1492, To provide for the preservation of the historic confinement sites where Japanese Americans were detained during Work War II. Testimony was heard from Representatives Thomas, Udall of Colorado and Honda; Michael Snyder, Acting Deputy Director, National Park Service, Department of the Interior.

MATH AND SCIENCE TEACHING AWARDS

Committee on Science: Held a hearing on the 2004 Presidential Awardees for Excellence in Mathematics and Science Teaching. Testimony was heard from public witnesses.

ESTATE TAX AND THE ALTERNATIVE MINIMUM TAX—SMALL BUSINESSES INEQUITY

Committee on Small Business: Subcommittee on Tax, Finance and Exports held a hearing entitled "The Estate Tax and the Alternative Minimum Tax—Inequity for America's Small Businesses." Testimony was heard from public witnesses.

FAA TRANSPORTATION

Committee on Transportation and Infrastructure: Subcommittee on Aviation held an oversight hearing on Transforming the Federal Aviation Administration: a Review of the Air Traffic Organization and the Joint Program Development Office. Testimony was heard from the following officials of the Department of Transportation: Jeffrey N. Shane, Under Secretary, Policy; and Kenneth Mead, Inspector General; Gerald L. Dillingham, Director, Physical Infrastructure Issues, GAO; and a public witness.

OVERSIGHT—NATIONAL PREPAREDNESS SYSTEM

Committee on Transportation and Infrastructure: Subcommittee on Economic Development, Public Buildings and Emergency Management held an oversight hearing on The National Preparedness System: What are we preparing for? Testimony was heard from the following officials of the Department of Homeland Security: Corey D. Gruber, Associate Director, Office for Domestic Preparedness; and Gil Jamieson, Director, NIMS Integration Center; and public witnesses.

U.S.-CHINA ECONOMIC RELATIONS

Committee on Ways and Means: Held a hearing on United States-China Economic Relations and China's Role in the World Economy. Testimony was heard from Representative Sanders; Kristin J. Forbes, member, Council of Economic Advisers; Charles W. Freeman, III, Assistant U.S. Trade Representative, China Affairs; Douglas Holtz-Eakin, Director, CBO; and public witnesses.

TAX SEASON/IRS BUDGET

Committee on Ways and Means: Subcommittee on Oversight held a hearing on 2005 Tax Return Filing Season and the IRS Budget for Fiscal Year 2006. Testimony was heard from Mark W. Everson, Commissioner, IRS, Department of the Treasury; James R. White, Director, Tax Issues, GAO; and public witnesses.

GLOBAL UPDATES BRIEFING

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on Global Updates. The Committee was briefed by departmental witnesses.

GENERAL DEFENSE INTELLIGENCE PROGRAM BUDGET

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on General Defense Intelligence Program (GDIP) Budget. Testimony was heard from departmental witnesses.

Joint Meetings

VETERANS' LEGISLATIVE PRESENTATIONS

Joint Hearing: Senate Committee on Veterans' Affairs concluded joint hearings with the House Committee on Veterans' Affairs to examine legislative presentations of certain veterans' organizations, after receiving testimony from William A. Boettcher, AMVETS, Lanham, Maryland; James Cooper, American Ex-Prisoners of War, Arlington, Texas; Thomas H. Corey, Vietnam Veterans of America, Silver Spring, Maryland; Colonel Robert F. Norton, USA (Ret.), and John Class, USN (Ret.), both of Military Officers Association of America, Alexandria, Virginia; and Brigadier General Leslie E. Beavers, USA (Ret.), National Association of State Directors of Veterans' Affairs, Baton Rouge, Louisiana.

ECONOMIC OUTLOOK

Joint Economic Committee: Committee concluded hearings to examine the current economic outlook for April 2005, after receiving testimony from Harvey S. Rosen, Chairman, and Kristen J. Forbes, Member, both of the Council of Economic Advisers.

RELIGIOUS COMMUNITIES IN RUSSIA

Commission on Security and Cooperation in Europe (Helsinki Commission): Commission concluded a hearing to examine problems experienced by unregistered religious communities operating within the Russian Federation, after receiving testimony from John V. Hanford, III, Ambassador-at-Large for International Religious Freedom, Department of State; Lawrence A. Uzzell, International Religious Freedom Watch, Fishersville, Virginia; Paul Goble, University of Tartu, Estonia; Boris Perchatkin, American-Russian Relief Committee, Washington; Andrew Okhotin, Independent Christian Baptists, Massachusetts; Sergei Cherpanov, Jehovah's Witnesses, Russia.

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Friday, April 15, 2005

Senate

Chamber Action

Routine Proceedings, pages 6634–96

Measures Introduced: Twelve bills and two resolutions were introduced, as follows: S. 811–822, and S. Res. 111–112. **Page 6662**

Measures Passed:

Democratic Reform in the Kyrgyz Republic: Senate agreed to S. Res. 111, urging the United States to increase its efforts to ensure democratic reform in the Kyrgyz Republic. **Page 6689**

Shaken Baby Syndrome Awareness: Senate agreed to S. Res. 112, designating the third week of April in 2005 as "National Shaken Baby Syndrome Awareness Week". **Page 6689**

Supplemental Appropriations: Senate continued consideration of H.R. 1268, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, to establish and rapidly implement regulations for State driver's license and identification document security standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, to ensure expeditious construction of the San Diego border fence, taking action on the following amendments proposed thereto: **Page 6635**

Pending:

Mikulski Amendment No. 387, to revise certain requirements for H–2B employers and require submission of information regarding H–2B nonimmigrants. **Page 6635**

Feinstein Amendment No. 395, to express the sense of the Senate that the text of the REAL ID Act of 2005 should not be included in the conference report. **Page 6635**

Bayh Amendment No. 406, to protect the financial condition of members of the reserve components of the Armed Forces who are ordered to long-term active duty in support of a contingency operation. **Page 6635**

Durbin Amendment No. 427, to require reports on Iraqi security services. **Page 6635**

Salazar Amendment No. 351, to express the sense of the Senate that the earned income tax credit provides critical support to many military and civilian families. **Page 6635**

Dorgan/Durbin Amendment No. 399, to prohibit the continuation of the independent counsel investigation of Henry Cisneros past June 1, 2005 and request an accounting of costs from GAO. **Page 6635**

Reid Amendment No. 445, to achieve an acceleration and expansion of efforts to reconstruct and rehabilitate Iraq and to reduce the future risks to United States Armed Forces personnel and future costs to United States taxpayers, by ensuring that the people of Iraq and other nations do their fair share to secure and rebuild Iraq. **Page 6635**

Frist (for Chambliss/Kyl) Amendment No. 432, to simplify the process for admitting temporary alien agricultural workers under section 101(a)(15)(H)(ii)(a) of the Immigration and Nationality Act, to increase access to such workers. **Page 6635**

Frist (for Craig/Kennedy) Modified Amendment No. 375, to provide for the adjustment of status of certain foreign agricultural workers, to amend the Immigration and Nationality Act to reform the H–2A worker program under that Act, to provide a stable, legal agricultural workforce, to extend basic legal protections and better working conditions to more workers. **Page 6646**

DeWine Amendment No. 340, to increase the period of continued TRICARE coverage of children of members of the uniformed services who die while serving on active duty for a period of more than 30 days. **Page 6647**

DeWine Amendment No. 342, to appropriate $10,000,000 to provide assistance to Haiti using Child Survival and Health Programs funds, $21,000,000 to provide assistance to Haiti using Economic Support Fund funds, and $10,000,000 to provide assistance to Haiti using International Narcotics Control and Law Enforcement funds, to be designated as an emergency requirement. **Page 6648**

Schumer Amendment No. 451, to lower the burden of gasoline prices on the economy of the United States and circumvent the efforts of OPEC to reap windfall oil profits. **Page 6649**

Reid (for Reed/Chafee) Amendment No. 452, to provide for the adjustment of status of certain nationals of Liberia to that of lawful permanent residence. **Page 6691**

A motion was entered to close further debate on Frist (for Chambliss/Kyl) Amendment No. 432, and notwithstanding the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the order of April 15, 2005, a vote on the motion to invoke cloture will occur at 11:45 a.m., on Tuesday, April 19, 2005. **Page 6646**

A motion was entered to close further debate on Frist (for Craig/Kennedy) Modified Amendment No. 375, and notwithstanding the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the order of April 15, 2005, a vote on the motion to invoke cloture will occur immediately following the vote on the motion to invoke cloture on Frist (for Chambliss/Kyl) Amendment No. 432 (listed above), on Tuesday, April 19, 2005. **Page 6646**

A motion was entered to close further debate on the bill and, notwithstanding the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the order of April 15, 2005, a vote on the motion to invoke cloture will occur immediately following the vote on the motion to invoke cloture on Mikulski Amendment No. 387 (listed above), on Tuesday, April 19, 2005. **Page 6691**

A unanimous-consent agreement was reached providing for a vote on the pending cloture motion filed on Thursday, April 14, 2005 on Mikulski Amendment No. 387 to occur at 4:30 p.m., on Tuesday, April 19, 2005, if the Senate is not proceeding post-cloture. **Page 6691**

A unanimous consent agreement was reached providing that Members have until 2 p.m., on Monday, April 18, 2005, to file first-degree amendments; and that Members have until 11 a.m. on Tuesday, April 19, 2005, to file second-degree amendments to the Frist (for Chambliss/Kyl) Amendment No. 432 (listed above), and the Frist (for Craig/Kennedy) Modified Amendment No. 375 (listed above). **Page 6691**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 2 p.m., on Monday, April 18, 2005. **Page 6691**

Nominations Confirmed: Senate confirmed the following nomination:

Pamela Hughes Patenaude, of New Hampshire, to be an Assistant Secretary of Housing and Urban Development. (Prior to this action, Committee on Banking, Housing, and Urban Affairs was discharged from further consideration.) **Pages 6688, 6696**

Nominations Received: Senate received the following nomination: Raymond Simon, of Arkansas, to be Deputy Secretary of Education. **Page 6696**

Messages From the House: **Page 6662**

Executive Communications: **Page 6662**

Additional Cosponsors: **Page 6663**

Statements on Introduced Bills/Resolutions: **Page 6664**

Amendments Submitted: **Page 6683**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 1:38 p.m., until 1 p.m., on Monday, April 18, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 6691.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. It will meet at 2 p.m. on Monday, April 18 in pro forma session and at 12:30 p.m. on Tuesday, April 19 for Morning Hour debate.

Committee Meetings

No committee meetings were held.

◆◆◆◆◆◆◆◆◆◆◆◆

Monday, April 18, 2005

Senate

Chamber Action

Routine Proceedings, pages 6717–6818

Measures Introduced: Fifteen bills were introduced, as follows: S. 823–837. **Page 6769**

Measures Passed:

Mental Health Courts Authorization: Committee on the Judiciary was discharged from further consideration of S. 289, to authorize an annual appropriation of

$10,000,000 for mental health courts through fiscal year 2011, and the bill was then passed. **Page 6817**

Supplemental Appropriations: Senate resumed consideration of H.R. 1268, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, to establish and rapidly implement regulations for State driver's license and identification document security standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, to ensure expeditious construction of the San Diego border fence, taking action on the following amendments proposed thereto: **Page 6725**

Adopted:

By 61 yeas to 31 nays (Vote No. 96), Byrd Amendment No. 464, to express the sense of the Senate on future requests for funding for military operations in Afghanistan and Iraq. **Page 6736**

Cochran (for Reid) Amendment No. 496, to amend title XVIII of the Social Security Act to make a technical correction regarding the entities eligible to participate in the Health Care Infrastructure Improvement Program. **Page 6762**

Cochran Amendment No. 473, to limit the use of funds to deny the provision of certain business and industry direct and guaranteed loans. **Page 6762**

Cochran (for Bond) Amendment No. 536, to make a technical correction to mortgage insurance fee requirements contained in the fiscal year 2005 Omnibus Appropriations bill. **Page 6762**

Cochran (for McConnell) Amendment No. 491, to provide deferral and rescheduling of debt to tsunami-affected countries. **Page 6762**

Cochran (for Leahy) Amendment No. 492, to express the sense of the Senate in support of the immediate release from detention of political detainees and the restoration of constitutional liberties and democracy in Nepal. **Page 6763**

Pending:

Mikulski Amendment No. 387, to revise certain requirements for H–2B employers and require submission of information regarding H–2B nonimmigrants. **Page 6725**

Feinstein Amendment No. 395, to express the sense of the Senate that the text of the REAL ID Act of 2005 should not be included in the conference report. **Page 6725**

Bayh Amendment No. 406, to protect the financial condition of members of the reserve components of the Armed Forces who are ordered to long-term active duty in support of a contingency operation. **Page 6725**

Durbin Amendment No. 427, to require reports on Iraqi security services. **Page 6725**

Salazar Amendment No. 351, to express the sense of the Senate that the earned income tax credit provides critical support to many military and civilian families. **Page 6725**

Dorgan/Durbin Amendment No. 399, to prohibit the continuation of the independent counsel investigation of Henry Cisneros past June 1, 2005 and request an accounting of costs from GAO. **Page 6725**

Reid Amendment No. 445, to achieve an acceleration and expansion of efforts to reconstruct and rehabilitate Iraq and to reduce the future risks to United States Armed Forces personnel and future costs to United States taxpayers, by ensuring that the people of Iraq and other nations do their fair share to secure and rebuild Iraq. **Page 6725**

Frist (for Chambliss/Kyl) Amendment No. 432, to simplify the process for admitting temporary alien agricultural workers under section 101(a)(15)(H)(ii)(a) of the Immigration and Nationality Act, to increase access to such workers. **Page 6725**

Frist (for Craig/Kennedy) Modified Amendment No. 375, to provide for the adjustment of status of certain foreign agricultural workers, to amend the Immigration and Nationality Act to reform the H–2A worker program under that Act, to provide a stable, legal agricultural workforce, to extend basic legal protections and better working conditions to more workers. **Page 6725**

DeWine Amendment No. 340, to increase the period of continued TRICARE coverage of children of members of the uniformed services who die while serving on active duty for a period of more than 30 days. **Page 6725**

DeWine Amendment No. 342, to appropriate $10,000,000 to provide assistance to Haiti using Child Survival and Health Programs funds, $21,000,000 to provide assistance to Haiti using Economic Support Fund funds, and $10,000,000 to provide assistance to Haiti using International Narcotics Control and Law Enforcement funds, to be designated as an emergency requirement. **Page 6725**

Schumer Amendment No. 451, to lower the burden of gasoline prices on the economy of the United States and circumvent the efforts of OPEC to reap windfall oil profits. **Page 6725**

Reid (for Reed/Chafee) Amendment No. 452, to provide for the adjustment of status of certain nationals of Liberia to that of lawful permanent residence. **Page 6725**

Chambliss Modified Amendment No. 418, to prohibit the termination of the existing joint-service multiyear procurement contract for C/KC–130J aircraft. **Page 6725**

Bingaman Amendment No. 483, to increase the appropriation to Federal courts by $5,000,000 to cover increased immigration-related filings in the southwestern United States. **Pages 6729, 6730**

Bingaman (for Grassley) Amendment No. 417, to provide emergency funding to the Office of the United States Trade Representative. **Page 6730**

Isakson Amendment No. 429, to establish and rapidly implement regulations for State driver's license and identification document security standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, and to ensure expeditious construction of the San Diego border fence. **Page 6744**

Byrd Amendment No. 463, to require a quarterly report on audits conducted by the Defense Contract Audit Agency of task or delivery order contracts and other contracts related to security and reconstruction activities in Iraq and Afghanistan and to address irregularities identified in such reports. **Page 6745**

Warner Amendment No. 499, relative to the aircraft carriers of the Navy. **Page 6746**

Sessions Amendment No. 456, to provide for accountability in the United Nations Headquarters renovation project. **Page 6747**

Boxer/Bingaman Amendment No. 444, to appropriate an additional $35,000,000 for Other Procurement, Army, and make the amount available for the fielding of Warlock systems and other field jamming systems. **Page 6749**

Lincoln Amendment No. 481, to modify the accumulation of leave by members of the National Guard. **Page 6750**

Reid (for Durbin) Amendment No. 443, to affirm that the United States may not engage in torture or cruel, inhuman, or degrading treatment under any circumstances. **Page 6763**

Reid (for Bayh) Amendment No. 388, to appropriate an additional $742,000,000 for Other Procurement, Army, for the procurement of up to 3,300 Up Armored High Mobility Multipurpose Wheeled Vehicles (UAHMMVs). **Page 6763**

Reid (for Biden) Amendment No. 537, to provide funds for the security and stabilization of Iraq and Afghanistan and for other defense-related activities by suspending a portion of the reduction in the highest income tax rate for individual taxpayers. **Page 6763**

Reid (for Feingold) Amendment No. 459, to extend the termination date of Office of the Special Inspector General for Iraq Reconstruction, expand the duties of the Inspector General, and provide additional funds for the Office. **Page 6763**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 9:45 a.m., on Tuesday, April 19, 2005; that the time until 11:45 a.m. be equally divided, with one half of the time under the control of Senator Chambliss and the other half of the time under the control of Senators Craig and Kennedy; and that at 11:45 a.m., the Senate proceed to votes, on the motions to invoke cloture on certain amendments. **Page 6818**

Enrolled Bills Presented: **Page 6767**

Executive Communications: **Page 6767**

Additional Cosponsors: **Page 6769**

Statements on Introduced Bills/Resolutions: **Page 6771**

Additional Statements: **Page 6765**

Amendments Submitted: **Page 6786**

Notices of Hearings/Meetings: **Page 6817**

Record Votes: One record vote was taken today. (Total—96) **Page 6744**

Adjournment: Senate convened at 1 p.m., and adjourned at 7:41 p.m., until 9:45 a.m., on Tuesday, April 19, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 6818.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Measures Introduced: 4 public bills, H.R. 6, 1674–1676; and 1 private bill, H.R. 1677 were introduced. **Page 6716**

Additional Cosponsors: **Page 6716**

Reports Filed: Reports were filed today as follows:

H.R. 1541, to amend the Internal Revenue Code of 1986 to enhance energy infrastructure properties in the United States and to encourage the use of certain energy technologies, amended (H. Rept. 109–45);

H.R. 739, to amend the Occupational Safety and Health Act of 1970 to provide for adjudicative flexibility with regard to the filing of a notice of contest by an employer following the issuance of a citation or proposed assessment of a penalty by the Occupational Safety and Health Administration (H. Rept. 109–46); and

H.R. 740, to amend the Occupational Safety and Health Act of 1970 to provide for greater efficiency at the Occupational Safety and Health Review Commission, amended (H. Rept. 109–47). **Page 6716**

Speaker: Read a letter from the Speaker wherein he appointed Representative Radanovich to act as Speaker Pro Tempore for today. **Page 6715**

Quorum Calls—Votes: There were no votes or quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 2:04 p.m. **Page 6715**

Committee Meetings

No committee meetings were held.

Tuesday, April 19, 2005

Senate

Chamber Action

Routine Proceedings, pages 6824–6919

Measures Introduced: Fifteen bills and three resolutions were introduced, as follows: S. 838–852, S.J. Res. 14–15, and S. Res. 113. **Page 6857**

Measures Reported:

S. 50, to authorize and strengthen the National Oceanic and Atmospheric Administration's tsunami detection, forecast, warning, and mitigation program, with an amendment in the nature of a substitute. (S. Rept. No. 109–59)

S. 361, to develop and maintain an integrated system of ocean and coastal observations for the Nation's coasts, oceans and Great Lakes, improve warnings of tsunamis and other natural hazards, enhance homeland security, support maritime operations. (S. Rept. No. 109–60) **Page 6857**

Supplemental Appropriations: Senate continued consideration of H.R. 1268, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, to establish and rapidly implement regulations for State driver's license and identification document security standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, to ensure expeditious construction of the San Diego border fence, taking action on the following amendments proposed thereto: **Page 6824**

Adopted:

Cochran (for Bond) Amendment No. 547, to appropriate $5,000,000 for the Office of Federal Housing Enterprise Oversight to meet emergency funding needs; which are supported by fees collected from regulated Government Sponsored Enterprises. **Page 6839**

Cochran (for Landrieu) Amendment No. 527, to modify the provision relating to offshore oil and gas fabrication ports. **Page 6839**

Cochran (for Santorum) Amendment No. 441, to allow certain appropriated funds to be used to provide loan guarantees. **Page 6839**

Cochran (for Reid) Amendment No. 407, to provide assistance for the conduct of agricultural and natural resource conservation activities in the Walker River Basin, Nevada. **Page 6839**

Subsequently, the amendment was modified. **Page 6843**

Cochran (for Byrd) Amendment No. 476, to transfer funds relating to certain watershed programs of the Department of Agriculture. **Page 6840**

Subsequently, the amendment was modified. **Page 6843**

Cochran (for Leahy) Amendment No. 548, to encourage the Government of Ecuador to take urgent measures to protect the biodiversity of the Galapagos. **Page 6840**

Kyl Amendment No. 555 (to Amendment No. 387), to modify the criteria for excluding certain H–2B workers from the numerical limitations under section 214(g)(1)(B) of the Immigration and Nationality Act. **Page 6846**

By 94 yeas to 6 nays (Vote No. 102), Mikulski Amendment No. 387, to revise certain requirements for H–2B employers and require submission of information regarding H–2B nonimmigrants, as amended. **Page 6846**

Hutchison/Schumer Modified Amendment No. 379, to make unused EB3 visas available to bring nurses to the United States through Department of State procedures. **Page 6846**

Cochran (for Pryor) Amendment No. 343, to release to the State of Arkansas a reversionary interest in Camp Joseph T. Robinson. **Page 6850**

Durbin Modified Amendment No. 427, to require reports on Iraqi security services. **Page 6851**

Dorgan/Durbin Amendment No. 399, to prohibit the continuation of the independent counsel investigation of Henry Cisneros past June 1, 2005 and request an accounting of costs from GAO. **Page 6851**

Cochran (for Shelby) Amendment No. 560, to clarify funding for judicial security enhancements. **Page 6851**

Cochran (for Reid) Amendment No. 561, to modify the provision relating to agricultural and natural resource conservation activities in the Walker River Basin, Nevada. **Page 6852**

Cochran (for Reid) Amendment No. 562, to modify the provision relating to the water lease and purchase program for the Walker River Paiute Tribe. **Page 6852**

Pending:

Feinstein Amendment No. 395, to express the sense of the Senate that the text of the REAL ID Act of 2005 should not be included in the conference report. **Page 6824**

Bayh Amendment No. 406, to protect the financial condition of members of the reserve components of the Armed Forces who are ordered to long-term active duty in support of a contingency operation. **Page 6824**

Salazar Amendment No. 351, to express the sense of the Senate that the earned income tax credit provides critical support to many military and civilian families. **Page 6824**

Reid Amendment No. 445, to achieve an acceleration and expansion of efforts to reconstruct and rehabilitate Iraq and to reduce the future risks to United States Armed Forces personnel and future costs to United States taxpayers, by ensuring that the people of Iraq and other nations do their fair share to secure and rebuild Iraq. **Page 6824**

Frist (for Chambliss/Kyl) Amendment No. 432, to simplify the process for admitting temporary alien agricultural workers under section 101(a)(15)(H)(ii)(a) of the

Immigration and Nationality Act, to increase access to such workers. **Pages 6825, 6827**

Frist (for Craig/Kennedy) Modified Amendment No. 375, to provide for the adjustment of status of certain foreign agricultural workers, to amend the Immigration and Nationality Act to reform the H–2A worker program under that Act, to provide a stable, legal agricultural workforce, to extend basic legal protections and better working conditions to more workers. **Page 6824**

DeWine Amendment No. 340, to increase the period of continued TRICARE coverage of children of members of the uniformed services who die while serving on active duty for a period of more than 30 days. **Page 6824**

DeWine Amendment No. 342, to appropriate $10,000,000 to provide assistance to Haiti using Child Survival and Health Programs funds, $21,000,000 to provide assistance to Haiti using Economic Support Fund funds, and $10,000,000 to provide assistance to Haiti using International Narcotics Control and Law Enforcement funds, to be designated as an emergency requirement. **Page 6824**

Schumer Amendment No. 451, to lower the burden of gasoline prices on the economy of the United States and circumvent the efforts of OPEC to reap windfall oil profits. **Page 6824**

Reid (for Reed/Chafee) Amendment No. 452, to provide for the adjustment of status of certain nationals of Liberia to that of lawful permanent residence. **Page 6824**

Chambliss Further Modified Amendment No. 418, to prohibit the termination of the existing joint-service multiyear procurement contract for C/KC–130J aircraft. **Pages 6824, 6847**

Bingaman Amendment No. 483, to increase the appropriation to Federal courts by $5,000,000 to cover increased immigration-related filings in the southwestern United States. **Page 6824**

Bingaman (for Grassley) Amendment No. 417, to provide emergency funding to the Office of the United States Trade Representative. **Page 6824**

Isakson Amendment No. 429, to establish and rapidly implement regulations for State driver's license and identification document security standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, and to ensure expeditious construction of the San Diego border fence. **Page 6824**

Byrd Amendment No. 463, to require a quarterly report on audits conducted by the Defense Contract Audit Agency of task or delivery order contracts and other contracts related to security and reconstruction activities in Iraq and Afghanistan and to address irregularities identified in such reports. **Page 6825**

Warner Amendment No. 499, relative to the aircraft carriers of the Navy. **Pages 6825, 6841**

Sessions Amendment No. 456, to provide for accountability in the United Nations Headquarters renovation project. **Page 6825**

Boxer/Bingaman Amendment No. 444, to appropriate an additional $35,000,000 for Other Procurement, Army, and make the amount available for the fielding of Warlock systems and other field jamming systems. **Page 6825**

Lincoln Amendment No. 481, to modify the accumulation of leave by members of the National Guard. **Page 6825**

Reid (for Durbin) Amendment No. 443, to affirm that the United States may not engage in torture or cruel, inhuman, or degrading treatment under any circumstances. **Page 6825**

Reid (for Bayh) Amendment No. 388, to appropriate an additional $742,000,000 for Other Procurement, Army, for the procurement of up to 3,300 Up Armored High Mobility Multipurpose Wheeled Vehicles (UAHMMVs). **Page 6825**

Reid (for Biden) Amendment No. 537, to provide funds for the security and stabilization of Iraq and Afghanistan and for other defense-related activities by suspending a portion of the reduction in the highest income tax rate for individual taxpayers. **Page 6825**

Reid (for Feingold) Amendment No. 459, to extend the termination date of Office of the Special Inspector General for Iraq Reconstruction, expand the duties of the Inspector General, and provide additional funds for the Office. **Page 6825**

Ensign Amendment No. 487, to provide for additional border patrol agents for the remainder of fiscal year 2005. **Page 6826**

Byrd Amendment No. 516, to increase funding for border security. **Page 6848**

Reid (for Biden) Amendment No. 440, to appropriate, with an offset, $6,000,000 for the Defense Health Program for force protection work and medical care at the Vaccine Health Care Centers. **Page 6849**

During consideration of this measure today, Senate also took the following actions:

By 21 yeas to 77 nays (Vote No. 97), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on Frist (for Chambliss/Kyl) Amendment No. 432, to simplify the process for admitting temporary alien agricultural workers under section 101(a)(15)(H)(ii)(a) of the Immigration and Nationality Act, to increase access to such workers. **Pages 6825, 6827**

By 53 yeas to 45 nays (Vote No. 98), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on Frist (for Craig/Kennedy) Modified Amendment No. 375, to provide for the adjustment of status of certain foreign agricultural workers, to amend the Immigration and Nationality Act to reform the H–2A worker program under that Act, to provide a stable, legal agricultural workforce, to extend basic legal protections and better working conditions to more workers. **Page 6838**

By 91 yeas to 7 nays (Vote No. 99) Senate agreed to the motion to instruct the Sergeant At Arms to request the attendance of absent Senators. **Page 6843**

By 56 yeas to 42 nays (Vote No. 100) Senate agreed to the modified motion to recess until 5 p.m. today. **Page 6844**

By 83 yeas to 17 nays (Vote No. 101), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on Mikulski Amendment No. 387, to revise certain requirements for H–2B employers and require submission of information regarding H–2B nonimmigrants. **Page 6844**

By a unanimous vote of 100 yeas (Vote No. 103), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the bill. **Page 6847**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m., and that, notwithstanding morning business, and the adjournment of the Senate, all time be counted against cloture under Rule XXII. **Page 6919**

Nominations Received: Senate received the following nominations:

Alex Azar II, of Maryland, to be Deputy Secretary of Health and Human Services.

1 Army nomination in the rank of general. **Page 6919**

Messages From the House: **Page 6856**

Measures Read First Time: **Page 6856**

Executive Communications: **Page 6856**

Additional Cosponsors: **Page 6858**

Statements on Introduced Bills/Resolutions: **Page 6859**

Additional Statements: **Page 6854**

Amendments Submitted: **Page 6903**

Notices of Hearings/Meetings: **Page 6918**

Authority for Committees to Meet: **Page 6918**

Record Votes: Seven record votes were taken today. (Total—103) **Pages 6838, 6839, 6844–47**

Quorum Calls: One quorum call was taken today. (Total—2) **Page 6843**

Adjournment: Senate convened at 9:45 a.m., and adjourned at 7:42 p.m., until 9:30 a.m., on Wednesday, April 20, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 6919.)

Committee Meetings

APPROPRIATIONS: LIBRARY OF CONGRESS/GAO

Committee on Appropriations: Subcommittee on Legislative Branch concluded a hearing to examine proposed budget estimates for fiscal year 2006, after receiving testimony in behalf of funds for their respective activities from James H. Billington, Librarian of Congress, and Chairman of the Board of Trustees, Open World Leadership Center, and David M. Walker, Comptroller General of the United States, Government Accountability Office, who were both accompanied by several of their associates.

NOMINATIONS

Committee on Armed Services: Committee concluded a hearing to examine the nominations of Gordon England, of Texas, to be Deputy Secretary of Defense, who was introduced by Senators Hutchison and Cornyn, and Admiral Michael G. Mullen, USN, for reappointment, to the grade of admiral and to be Chief of Naval Operations, after the nominees testified and answered questions in their own behalf.

DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on SeaPower concluded a hearing to examine the United States Marine Corps ground and rotary wing programs and seabasing in review of the Defense Authorization Request for Fiscal Year 2006, after receiving testimony from John J. Young, Jr., Assistant Secretary of the Navy for Research, Development, and Acquisition; Vice Admiral Joseph A. Sestak, Jr., USN, Deputy Chief of Naval Operations for Warfare Requirements and Programs, United States Navy; and Lieutenant General Robert Magnus, USMC, Deputy Commandant for Programs and Resources, and Lieutenant General James N. Mattis, USMC, Commanding General, Marine Corps Combat Development Command, both of the U.S. Marine Corps.

HOUSING GOVERNMENT SPONSORED ENTERPRISES

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine proposals to improve the regulation of the Housing Government Sponsored Enterprises, after receiving testimony from David E. Hayes, Security Bank, Dyersburg, Tennessee, on behalf of the Independent Community Bankers of America; Al Mansell, Coldwell Banker Residential Brokerage, Midvale, Utah, on behalf of the National Association of Realtors; William A. Longbrake, The Financial Services Roundtable, and David F. Wilson, National Association of Home Builders, both of Washington, D.C.; Marc Savitt, The Mortgage Center, McLean, Virginia, on behalf of the National Association of Mortgage Brokers; Harry P. Doherty, Independence Community Bank Corporation, Brooklyn, New York, on behalf of America's Community

Bankers; Michael F. Petrie, P/R Mortgage and Investment Corporation, Carmel, Indiana, on behalf of the Mortgage Bankers Association; and Nancy O. Andrews, Low Income Investment Fund, San Francisco, California.

OFFSHORE ENERGY PRODUCTION

Committee on Energy and Natural Resources: Committee concluded a hearing to examine offshore hydrocarbon production and the future of alternate energy resources on the Outer Continental Shelf, focusing on recent technological advancements made in the offshore exploration and production of traditional forms of energy, and the future of deep shelf and deepwater production; enhancements in worker safety, and steps taken by the offshore oil and gas industry to meet environmental challenges, after receiving testimony from Admiral James D. Watkins, USN (Ret.), Chairman, United States Commission on Ocean Policy; R.M. "Johnnie" Burton, Director, Minerals Management Service, Department of the Interior; Robert W. Thresher, Director, National Wind Technology Center, National Renewable Energy Laboratory, Department of Energy; Virginia State Senator Frank W. Wagner, Virginia Beach; Scott A. Angelle, Louisiana Department of Natural Resources, Baton Rouge; Charles D. Davidson, Noble Energy, Inc., Houston, Texas, on behalf of the Domestic Petroleum Council, and the Independent Petroleum Association of America; and Debbie Boger, Sierra Club, Washington, D.C.

WATER AND POWER BILLS

Committee on Energy and Natural Resources: Subcommittee on Water and Power concluded a hearing to examine S. 166, to amend the Oregon Resource Conservation Act of 1996 to reauthorize the participation of the Bureau of Reclamation in the Deschutes River Conservancy, S. 251, to authorize the Secretary of the Interior, acting through the Bureau of Reclamation, to conduct a water resource feasibility study for the Little Butte/Bear Creek Sub-basins in Oregon, S. 310, to direct the Secretary of the Interior to convey the Newlands Project Headquarters and Maintenance Yard Facility to the Truckee-Carson Irrigation District in the State of Nevada, S. 519, to amend the Lower Rio Grande Valley Water Resources Conservation and Improvement Act of 2000 to authorize additional projects and activities under that Act, and S. 592, to extend the contract for the Glendo Unit of the Missouri River Basin Project in the State of Wyoming, after receiving testimony from Bill Rinne, Deputy Commissioner, Director of Operations, Bureau of Reclamation, Department of the Interior; Wayne Halbert, Harlingen Irrigation District, Harlingen, Texas; Tod Heisler, Deschutes River Conservancy, Bend, Oregon; Jim Hill, City of Medford Water Reclamation Division, Medford, Oregon; and Ernie Schank, Truckee-Carson Irrigation District, Fallon, Nevada.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the following bills:

An original bill, entitled Highway Reauthorization and Excise Tax Simplification Act of 2005; and

S. 661, to amend the Internal Revenue Code of 1986 to provide for the modernization of the United States Tax Court, with an amendment in the nature of a substitute.

MIDDLE EAST EDUCATIONAL REFORM

Committee on Foreign Relations: Committee concluded a hearing to examine the Near East and South Asian experience relating to combating terrorism through education, focusing on education reform in the Middle East, after receiving testimony from Elizabeth L. Cheney, Principal Deputy Assistant Secretary of State for Near Eastern Affairs; James Kunder, Assistant Administrator for Asia and the Near East, U.S. Agency for International Development; Bassem Awadallah, Minister of Finance, Hashemite Kingdom of Jordan, Amman; Shahid Javed Burki, Nathan Associates, Potomac, Maryland; Samina Ahmed, International Crisis Group, Islamabad, Pakistan; and Frank J. Method, Research Triangle Institute International, Washington, D.C.

NOMINATION

Committee on Foreign Relations: Committee met and began consideration of the nominations of John Robert Bolton, of Maryland, to be U.S. Representative to United Nations, with the rank and status of Ambassador and U.S. Representative in the Security Council of the United Nations, and Representative to the Sessions of the General Assembly of the United Nations during his tenure of service as Representative of the United States of America to the United Nations, but did not take final action thereon, and recessed subject to the call.

DRUG IMPORTATION

Committee on Health, Education, Labor, and Pensions: Committee held a hearing to examine S. 334, to amend the Federal Food, Drug, and Cosmetic Act with respect to the importation of prescription drugs, receiving testimony from Senators Snowe, Vitter, Dorgan and Stabenow; Graham Satchwell, Proco Solutions, London, United Kingdom; Todd Cecil, United States Pharmacopeia, Rockville, Maryland; Thomas C. Arthur, Emory University School of Law, Atlanta, Georgia; and David A. Kessler, University of California-San Francisco School of Medicine, San Francisco.

Hearings recessed subject to the call of the Chair.

TELECOMMUNICATIONS INDUSTRY MERGERS

Committee on the Judiciary: Committee held a hearing to examine the SBC/ATT and Verizon/MCI mergers relating to remaking the telecommunications industry, focusing on ramifications effecting competition for local, long-distance, and wireless telephone services, and internet-based services, receiving testimony from Carl Grivner, XO Communications, Inc., Reston, Virginia; Jeffrey Citron, Vonage Holdings Corporation, Edison, New Jersey; and Scott Cleland, Precursor Group, and Gene Kimmelman, Consumers Union, both of Washington, D.C.

Hearing recessed subject to the call.

CIVILIAN LIFE TRANSITION

Committee on Veterans' Affairs: Committee concluded a hearing to examine "Back from the Battlefield, Part II: Seamless Transition to Civilian Life", focusing on outreach to military service men and woman, including Reserve and National Guard members during their induction into service, during service, and when preparing to separate or retire from the military, after receiving testimony from Daniel L. Cooper, Under Secretary of Veterans Affairs for Benefits; John M. Molino, Deputy Under Secretary of Defense for Military Community and Family Policy; Frederico Juarbe, Jr., Assistant Secretary of Labor for Veterans Employment and Training, Veterans Employment and Training Service; Lieutenant John Fernandez, USA (Ret.), Rocky Point, New York; and Tristan Wyatt, Washington, D.C.

PATRIOT ACT

Select Committee on Intelligence: Committee concluded a hearing to examine the USA PATRIOT Act (Public Law 107–56), after receiving testimony from Gregory T. Nojeim, American Civil Liberties Union, and James X. Dempsey, Center for Democracy and Technology, both of Washington, D.C.; and Heather MacDonald, Manhattan Institute for Policy Research, New York, New York.

House of Representatives

Chamber Action

Measures Introduced: 35 public bills, H.R. 1678–1712; and; 7 resolutions, H. Con. Res. 134–136, and H. Res. 218, 220–222 were introduced. **Page 6962**

Additional Cosponsors: **Page 6964**

Reports Filed: Reports were filed today as follows:

H.R. 866, to make technical corrections to the United States Code (H. Rept. 109–48); and

H. Res. 219, providing for consideration of H.R. 6, to ensure jobs for our future with secure, affordable, and reliable energy (H. Rept. 109–49). **Page 6962**

Speaker: Read a letter from the Speaker wherein he appointed Representative Fortenberry to act as Speaker Pro Tempore for today. **Page 6920**

Chaplain: The prayer was offered today by Rev. Timothy B. Johnson, Pastor, The Church of the Redeemer in Bowie, Maryland. **Page 6924**

Recess: The House recessed at 1:07 p.m. and reconvened at 2 p.m. **Page 6924**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Sense of Congress regarding the issuance of the 500,000th design patent by the U.S. Patent and Trademark Office: H. Con. Res. 53, expressing the sense of the Congress regarding the issuance of the 500,000th design patent by the United States Patent and Trademark Office; **Page 6926**

Family Entertainment and Copyright Act of 2005: S. 167, to provide for the protection of intellectual property rights—clearing the measure for the President; **Page 6927**

Multidistrict Litigation Restoration Act of 2005: H.R. 1038, to amend title 28, United States Code, to allow a judge to whom a case is transferred to retain jurisdiction over certain multidistrict litigation cases for trial; **Page 6933**

Trademark Dilution Revision Act of 2005: H.R. 683, amended, to amend the Trademark Act of 1946 with respect to dilution by blurring or tarnishment, by a ⅔ yea and nay vote of 411 yeas to 8 nays, Roll No. 109; **Pages 6935, 6939**

Providing for the appointment of Shirley Ann Jackson to the Board of Regents of the Smithsonian Institution: H.J. Res. 19, providing for the appointment of Shirley Ann Jackson as a citizen regent of the Board of Regents of the Smithsonian Institution, by a ⅔ yea and nay vote of 417 yeas with none voting "nay", Roll No. 110; and **Pages 6937, 6940**

Providing for the appointment of Robert P. Kogod to the Board of Regents of the Smithsonian Institution: H.J. Res. 20, providing for the appointment of Robert P. Kogod as a citizen regent of the Board of Regents of the Smithsonian Institution, by a ⅔ yea and nay vote of 412 yeas with none voting "nay", Roll No. 111. **Pages 6938, 6941**

Recess: The House recessed at 3:25 p.m. and reconvened at 6:31 p.m. **Page 6939**

Inspector General for the House of Representatives—Appointment: The Chair announced the joint appointment by the Speaker, Majority Leader, and Minority Leader of Mr. Steven A. McNamara of Sterling, Virginia to the position of Inspector General for the House of Representatives for the 109th Congress, effective January 4, 2005. **Page 6941**

Senate Message: Message received from the Senate appears on page 6924.

Senate Referrals: S. 289 was referred to the Committee on the Judiciary. **Page 6961**

Quorum Calls—Votes: Three yea and nay votes developed during the proceedings today and appear on pages 6939–41. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 11:30 p.m.

Committee Meetings

DEPARTMENT OF LABOR, HHS, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on the Department of Labor, Health and Human Services, Education, and Related Agencies continued appropriation hearings. Testimony was heard from public witnesses.

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HUD, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and Independent Agencies held a hearing on the IRS. Testimony was heard from Mark W. Everson, Commissioner, IRS, Department of the Treasury.

COLLEGE ACCESS

Committee on Education and the Workforce: Held a hearing on College Access: Is Government Part of the Solution, or Part of the Problem? Testimony was heard from public witnesses.

INTERNATIONAL FINANCIAL SYSTEM

Committee on Financial Services: Held a hearing on the State of the International Financial System. Testimony was heard from John W. Snow, Secretary of the Treasury.

FEDERAL HEALTH PROGRAMS

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing entitled "Federal Health Programs and Those Who Cannot Care for Themselves: What Are Their Rights, and Our Responsibilities?" Testimony was heard from Representative Weldon of Florida; Donald A. Young, M.D., Deputy Assistant Secretary, Planning and Evaluation, Department of Health and Human Services; and public witnesses.

U.S. CENSUS 2010

Committee on Government Reform: Subcommittee on Federalism and the Census held an oversight hearing entitled "Halfway to the 2010 Census: The Countdown and Components to a Successful Decennial Census." Testimony was heard from the following officials of the Department of Commerce: Kathleen Cooper, Under Secretary, Economic Affairs, and Charles Louis Kincannon, Director, Bureau of the Census; and public witnesses.

THRIFT SAVINGS PLAN/REAL ESTATE TRUSTS

Committee on Government Reform: Subcommittee on Federal Workforce and Agency Organization held a hearing on H.R. 1578, Real Estate Investment Thrift Savings Act. Testimony was heard from Representatives Foley and Neal; the following officials of the Federal Retirement Thrift Investment Board: Andrew M. Saul, Chairman; and Gary A. Amelio, Executive Director; and public witnesses.

FIRST RESPONDER FUNDING

Committee on Homeland Security: Subcommittee on Emergency Preparedness, Science, and Technology approved for full Committee action the following: H.R. 1544, amended, Faster and Smarter Funding for First Responders Act of 2005; and the Department of Homeland Security Technology Development and Transfer Act of 2005.

HOMELAND SECURITY DEPARTMENT NUCLEAR DETECTION

Committee on Homeland Security: Subcommittee on Prevention of Nuclear and Biological Attacks held a hearing entitled "DHS Coordination of Nuclear Detection Efforts, Part 1." Testimony was heard from public witnesses.

Hearings continue tomorrow.

U.N. HUMAN RIGHTS COMMISSION

Committee on International Relations: Subcommittee on Africa, Global Human Rights and International Operations held a hearing on the UN Commission on Human Rights: Protector or Accomplice? Testimony was heard from Mark P. Lagon, Deputy Assistant Secretary, Bureau of International Organization Affairs, Department of State; and public witnesses.

The Subcommittee also held a briefing on this subject. Testimony was heard from Danilo Turk, Assistant Secretary-General, Department of Political Affairs, United Nations.

USA PATRIOT ACT: INFORMATION SHARING

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held an oversight hearing on the Implementation of the USA PATRIOT Act: Effect of Sections 203 (b) and (d) on Information Sharing. Testimony was heard from Representative McCaul of Texas; the following officials of the Department of Justice: Maureen Baginski, Executive Assistant Director, Office of Intelligence, FBI; and Barry Sabin, Chief, Counterterrorism Section for the Criminal Division; and a public witness.

COASTAL OCEAN OBSERVATION SYSTEM INTEGRATION AND IMPLEMENTATION ACT

Committee on Resources: Subcommittee on Fisheries and Oceans held a hearing on H.R. 1489, Coastal Ocean Observation System Integration and Implementation Act of 2005. Testimony was heard from Richard W. Spinrad, Assistant Administrator, National Ocean Service, NOAA, Department of Commerce; Robert Winokur, Technical Director, Oceanographer of the Navy, Department of the Navy; Chris Kearney, Deputy Assistant Secretary, Policy and International Affairs, Department of the Interior; Debra Hernandez, Director, Policy and Program Development, Office of Ocean and Coastal Resource Management, Department of Health and Environmental Control, State of South Carolina; and public witnesses.

ENERGY POLICY ACT OF 2005

Committee on Rules: Granted by voice vote, a structured rule providing one hour and thirty minutes of general debate with 30 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce and 20 minutes equally divided and controlled by the chairmen and ranking minority members of each of the following committees. Science, Resources, and Ways and Means. The rule waives all points of order against consideration of the bill.

The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution, and provides that those amendments may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment except as specified in the report, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representative Hall of Texas, Chairman Boehlert, Chairman Pombo, Representatives Calvert, Bartlett, Gilchrest, Johnson of Connecticut, Peterson of Pennsylvania, Castle, Porter, Shays, Wamp, Kirk, Dingell, Markey, Stupak, Capps, Allen, Schakowsky, Davis of Florida, Solis, Inslee, Eddie Bernice Johnson, Udall of Colorado, Carnahan, Jackson-Lee of Texas, Emanuel, Udall of New Mexico, Holt, Van Hollen, Millender-McDonald, Berkley, Bishop of New York, Ford, Slaughter, Olver, and Hastings of Florida.

LONG TERM CARE

Committee on Ways and Means: Subcommittee on Health held a hearing on Long Term Care. Testimony was heard from Douglas Holtz-Eakin, Director, CBO; and public witnesses.

Wednesday, April 20, 2005

Senate

Chamber Action

Routine Proceedings, pages 6988–7070

Measures Introduced: Thirteen bills and five resolutions were introduced, as follows: S. 853–865, S.J. Res. 16, and S. Res. 114–117. **Page 7052**

Supplemental Appropriations: Senate continued consideration of H.R. 1268, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, to establish and rapidly implement regulations for State driver's license and identification document security standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, to ensure expeditious construction of the San Diego border fence, taking action on the following amendments proposed thereto: **Page 6994**

Adopted:

Kohl Amendment No. 380, to provide supplemental funding for international food assistance. **Pages 6995, 6999**

Lincoln Amendment No. 482, to require a report assessing the feasibility and advisability of implementing for the Army National Guard a program similar to the Post Deployment Stand-Down Program of the Air National Guard. **Page 7016**

Baucus Modified Amendment No. 549 (to Amendment No. 475), to clarify the terms of payment under the Trade Sanctions Reform and Export Enhancement Act of 2000. **Page 7017**

Reid (for Durbin) Amendment No. 443, to affirm that the United States may not engage in torture or cruel, inhuman, or degrading treatment under any circumstances. **Pages 6995, 7005, 7018**

By 65 yeas to 34 nays (Vote No. 105), Byrd Amendment No. 516, to increase funding for border security. **Pages 6995, 7013, 7018**

By 58 yeas to 38 nays (Vote No. 106), Warner Amendment No. 498, relating to the aircraft carriers of the Navy. **Pages 7011, 7019**

Bingaman Modified Amendment No. 483, to increase the appropriation to Federal courts by $5,000,000 to cover increased immigration-related filings in the southwestern United States. **Pages 6994, 7023**

Landrieu Modified Amendment No. 414, to encourage that funds be made available to provide assistance to children affected by the tsunami. **Page 7023**

Reid (for Biden) Modified Amendment No. 440, to express the sense of the Senate on funding for the Vaccine Health Care Centers. **Pages 6995, 7026**

Stevens (for Bunning) Modified Amendment No. 518, to express the sense of the Senate that the Department of Defense should fund initiatives to increase the domestic manufacturing capability to produce ceramic armor and its requisite components. **Page 7027**

Stevens (for Bunning) Modified Amendment No. 519, to express the sense of the Senate that the Department of Defense should procure Rapid Wall Breaching Kits in fiscal year 2005 and request funding for the new devices in future fiscal years. **Page 7027**

Stevens (for Landrieu) Modified Amendment No. 480, to express the sense of the Senate that the Operation and Maintenance, Army Reserve may be increased by $17,600,000, with the amount of such increase designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress), and make the amount available for tuition assistance programs for members of the Army Reserve. **Page 7027**

Boxer/Bingaman Modified Amendment No. 444, to express the sense of the Senate that $60,000,000 may be made available for the rapid deployment of Warlock systems and other field jamming systems. **Pages 6995, 7028**

Feingold Modified Amendment No. 416, to authorize travel and transportation for family members of members of the Armed Forces hospitalized in the United States in connection with non-serious illnesses or injuries incurred or aggravated in a contingency operation. **Page 7028**

Chambliss Further Modified Amendment No. 418, to prohibit the termination of the existing joint-service multiyear procurement contract for C/KC–130J aircraft. **Pages 6994, 7030**

Cochran (for Leahy) Modified Amendment No. 493, to continue programs to assist the families and communities of Afghan and Iraqi war victims. **Page 7030**

Cochran (for Durbin) Modified Amendment No. 489, to make tsunami recovery and reconstruction funds available for programs and activities which create new economic opportunities for women. **Page 7031**

Cochran (for DeWine) Modified Amendment No. 342, to provide additional assistance for Haiti. **Pages 6994, 7031**

Cochran (for Bennett) Modified Amendment No. 425, to provide funds for microcredit programs in the countries affected by the tsunami. **Page 7031**

Levin Amendment No. 563, to authorize the Secretary of Labor to convey the Detroit Labor Building to the State of Michigan. **Page 7034**

Cochran (for Salazar) Modified Amendment No. 454, to ensure that Afghan security forces, including police, border security guards, and members of the Afghan National Army, who receive training provided with United States assistance are professionally trained and that certain minimum standards are met. **Page 7035**

Cochran (for Corzine/Brownback) Modified Amendment No. 517, to impose sanctions against perpetrators of crimes against humanity in Darfur, Sudan. **Page 7035**

Cochran (for McConnell) Amendment No. 488, of a technical nature. **Page 7037**

Rejected:

Coburn Amendment No. 450, to remove a non-emergency provision, relating to the Philadelphia Regional Port Authority. **Page 7001**

Coburn Amendment No. 471, to reduce appropriations for the Iraqi embassy to reduce outlays expected to occur in fiscal year 2007 or later. (By 54 yeas to 45 nays (Vote No. 104), Senate tabled the amendment.) **Pages 7001, 7011, 7014**

Withdrawn:

Coburn Amendment No. 467, to remove a non-emergency spending, relating to the Institute of Museum Library Services. **Page 7001**

Shelby Amendment No. 466, to provide for a refundable wage differential credit for activated military reservists. **Page 7014**

Lincoln Amendment No. 481, to modify the accumulation of leave by members of the National Guard. **Pages 6995, 7016**

Reid (for Bayh) Amendment No. 388, to appropriate an additional $742,000,000 for Other Procurement, Army, for the procurement of up to 3,300 Up Armored High Mobility Multipurpose Wheeled Vehicles (UAHMMVs). **Pages 6995, 6997, 7025**

Bayh Amendment No. 406, to protect the financial condition of members of the reserve components of the Armed Forces who are ordered to long-term active duty in support of a contingency operation. **Pages 6994, 7025**

Isakson Amendment No. 429, to establish and rapidly implement regulations for State driver's license and identification document security standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, and to ensure expeditious construction of the San Diego border fence. **Pages 6994, 7031**

Pending:

Ensign Amendment No. 487, to provide for additional border patrol agents for the remainder of fiscal year 2005. **Page 6995**

Bayh Amendment No. 520, to appropriate and additional $213,000,000 for Other Procurement, Army, for the procurement of Up-Armored High Mobility Multipurpose Wheeled Vehicles (UAHMMWVs). **Pages 7025**

During consideration of this measure today, Senate also took the following actions:

Chair sustained certain points of order that the following amendments were not germane to the bill, and the amendments thus fell:

DeWine Amendment No. 340, to increase the period of continued TRICARE coverage of children of members of the uniformed services who die while serving on active duty for a period of more than 30 days. **Pages 6994, 7010**

Salazar Amendment No. 351, to express the sense of the Senate that the earned income tax credit provides critical support to many military and civilian families. **Pages 6994, 7010**

Frist (for Craig/Kennedy) Modified Amendment No. 375, to provide for the adjustment of status of certain foreign agricultural workers, to amend the Immigration and Nationality Act to reform the H-2A worker program under that Act, to provide a stable, legal agricultural workforce, to extend basic legal protections and better working conditions to more workers. **Pages 6994, 7010**

Feinstein Amendment No. 395, to express the sense of the Senate that the text of the REAL ID Act of 2005 should not be included in the conference report. **Pages 6994, 7010**

Bingaman (for Grassley) Amendment No. 417, to provide emergency funding to the Office of the United States Trade Representative. **Pages 6994, 7010**

Frist (for Chambliss/Kyl) Amendment No. 432, to simplify the process for admitting temporary alien agricultural workers under section 101(a)(15)(H)(ii)(a) of the Immigration and Nationality Act, to increase access to such workers. **Pages 6994, 7010**

Reid Amendment No. 445, to achieve an acceleration and expansion of efforts to reconstruct and rehabilitate Iraq and to reduce the future risks to United States Armed Forces personnel and future costs to United States taxpayers, by ensuring that the people of Iraq and other nations do their fair share to secure and rebuild Iraq. **Pages 6994, 7010**

Schumer Amendment No. 451, to lower the burden of gasoline prices on the economy of the United States and circumvent the efforts of OPEC to reap windfall oil profits. **Pages 6994, 7010**

Reid (for Reed/Chafee) Amendment No. 452, to provide for the adjustment of status of certain nationals of Liberia to that of lawful permanent residents. **Pages 6994, 7011**

Sessions Amendment No. 456, to provide for accountability in the United Nations Headquarters renovation project. **Pages 6995, 7011**

Reid (for Feingold) Amendment No. 459, to extend the termination date of Office of the Special Inspector General for Iraq Reconstruction, expand the duties of the Inspector General, and provide additional funds for the Office. **Pages 6995, 7011, 7030**

Byrd Amendment No. 463, to require a quarterly report on audits conducted by the Defense Contract Audit Agency of task or delivery order contracts and other contracts related to security and reconstruction activities in Iraq and Afghanistan and to address irregularities identified in such reports. **Pages 6995, 7011**

Warner Amendment No. 499, relative to the aircraft carriers of the Navy. **Pages 6995, 7011**

Craig Amendment No. 475, to limit the use of funds to restrict the issuance of general licenses for travel to Cuba in connection with authorized sales activities. **Pages 7016, 7025**

Reid (for Biden) Amendment No. 537, to provide funds for the security and stabilization of Iraq and Afghanistan and for other defense-related activities by suspending a portion of the reduction in the highest income tax rate for individual taxpayers. **Pages 6995, 7035**

A unanimous-consent agreement was reached providing that on Thursday, April 21, 2005, at a time determined by the Majority Leader, after consultation with the Democratic Leader, Senate continue consideration of the bill; that all time be considered expired under Rule XXII, with the exception of 15 minutes for debate equally divided between the Chairman of the Committee on Appropriations, Senator Cochran, and Senator Bayh, or his designee, prior to votes in relation to the remaining amendments, and that following disposition of the amendments, the bill be read a third time and the Senate vote on final passage; provided further, the Senate insist on its amendment, request a conference with the House, and the Chair be authorized to appoint the Members of the Committee on Appropriations as conferees on the part of the Senate. **Page 7038**

Nomination—Agreement: A unanimous-consent agreement was reached providing that on Thursday, April 21, 2005, at a time determined by the Majority Leader, after consultation with the Democratic Leader, Senate begin consideration of the nomination of John D. Negroponte, of New York, to be Director of National Intelligence; that there be 4 hours of debate, equally divided between the Majority Leader and the Democratic Leader, or their designees, and that the Democratic time be equally divided between Senators Rockefeller and Wyden; and that at the expiration, or yielding back of time, Senate vote on confirmation of the nomination. **Page 7070**

Messages From the House: **Page 7046**

Measures Referred: **Page 7046**

Measures Placed on Calendar: **Page 7046**

Executive Communications: **Page 7047**

Petitions and Memorials: **Page 7047**

Additional Cosponsors: **Page 7053**

Statements on Introduced Bills/Resolutions: **Page 7055**

Additional Statements: **Page 7043**

Amendments Submitted: **Page 7069**

Authority for Committees to Meet: **Page 7069**

Privilege of the Floor: **Page 7070**

Record Votes: Three record votes were taken today. (Total—106) **Pages 7014, 7018, 7023**

Adjournment: Senate convened at 9:31 a.m., and adjourned at 7:11 p.m., until 9:30 a.m., on Thursday, April 21, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 7070.)

Committee Meetings

APPROPRIATIONS: NATIONAL GUARD AND RESERVE

Committee on Appropriations: Subcommittee on Defense concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the National Guard and Reserve, after receiving testimony from Lieutenant General H. Steven Blum, Chief, National Guard Bureau; Lieutenant General Roger Schultz, Director, Army National Guard; Lieutenant General Daniel James III, Director, Air National Guard; Lieutenant General James R. Helmly, Chief and Commander, Army Reserve; Vice Admiral John G. Cotton, Chief of Naval Reserve; Lieutenant General Dennis M. McCarthy, Commander, Marine Forces Reserve; and Lieutenant General John A. Bradley, Chief of Air Force Reserve.

APPROPRIATIONS: DEPARTMENT OF HOMELAND SECURITY

Committee on Appropriations: Subcommittee on Homeland Security concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the Department of Homeland Security, after receiving testimony from Michael Chertoff, Secretary of Homeland Security.

APPROPRIATIONS: DISTRICT OF COLUMBIA COURTS

Committee on Appropriations: Subcommittee on District of Columbia concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the government of the District of Columbia, after receiving testimony in behalf of funds for their respective activities from Annice Wagner, Chief Judge, District of Columbia Court of Appeals, and Chair, Joint Committee on Judicial Administration; Rufus King III, Chief Judge, Superior Court of the District of Columbia; Paul Quander, Jr., Director, Court Service and Offender Supervision Agency; and Avis Buchanan, Director, Defender Service for the District of Columbia.

DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Readiness and Management Support concluded a hearing to examine the readiness of military units deployed in support of Operation Iraqi Freedom and Operation Enduring Freedom in review of the Defense Authorization Request for fiscal year 2006, after receiving testimony from Lieutenant General Thomas F. Metz, USA, Commander, III Corps and Fort Hood; Lieutenant General John F. Sattler, USMC, Commanding General, I Marine Expeditionary Force, U.S. Marine Corps; Lieutenant General Walter E. Buchanan III, USAF, Commander, U.S. Central Command, Air Forces; Major General Lloyd J. Austin III, USA, Commander, 10th Mountain Division (Light Infantry) and Fort Drum; and Rear Admiral Barry McCullough, USN, Commander, Carrier Strike Group Six.

HOUSING GOVERNMENT SPONSORED ENTERPRISES

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine proposals to improve the regulation of Housing Government-Sponsored Enterprises (GSEs), focusing on ensuring that GSEs have a regulator with the necessary authority to enable GSEs to fulfill their important mission in a safe and sound fashion, after receiving testimony from Raymond R. Christman, Federal Home Loan Bank of Atlanta, Atlanta, Georgia; and Daniel H. Mudd, Fannie Mae, and Richard F. Syron, Freddie Mac, both of Washington, D.C.

INTERNATIONAL SPACE STATION

Committee on Commerce, Science, and Transportation: Subcommittee on Science and Space concluded a hearing to examine International Space Station research benefits, focusing on research and technology development efforts on areas that best contribute to the vision for space exploration, specifically using the space station to study human endurance in space and to test new technologies and techniques to prepare NASA for longer journeys to the moon and Mars, after receiving testimony from William F. Readdy, Associate Administrator, Space Operations Mission Directorate, Howard Ross, Deputy Chief Scientist, and Lieutenant Colonel Mike Fincke, Active Duty Astronaut, all of the National Aeronautics and Space Administration; Marcia S. Smith, Specialist in Aerospace and Telecommunications Policy, Resources, Science, and Industry Division, Congressional Research Service, Library of Congress; Jeffrey Sutton, National Space Biomedical Research Institute, Houston, Texas; and Mary Ellen Weber, University of Texas Southwest Medical Center, Austin.

NOMINATIONS

Committee on Environment and Public Works: Committee concluded a hearing to examine the nominations of Gregory B. Jaczko, of the District of Columbia, and Peter B. Lyons, of Virginia, each to be a Member of the Nuclear Regulatory Commission, after the nominees testified and answered questions in their own behalf.

TERRORISM PROHIBITION IMPROVEMENTS ACT

Committee on the Judiciary: Subcommittee on Terrorism, Technology and Homeland Security concluded a hearing to examine a review of the material support to Terrorism Prohibition Improvements Act, focusing on the need to strengthen statutory arsenal that enables law enforcement to stop terrorist attacks at an early stage, before they endanger Americans, and the need to recognize the threat posed by paramilitary training, after receiving testimony from Barry Sabin, Chief, Counterterrorism Section, Criminal Division, and Daniel Meron, Principal Deputy Assistant Attorney General, Civil Division, both of the Department of Justice; and Andrew C. McCarthy, Foundation for the Defense of Democracies, Washington, D.C.

SMALL BUSINESS HEALTH CARE

Committee on Small Business and Entrepreneurship: Committee concluded a hearing to examine the small business health care crisis, focusing on alternatives for lowering costs and covering the uninsured, including related provisions of S. 406, Small Business Health Fairness Act of 2005, after receiving testimony from Elaine L. Chao, Secretary of Labor; Hector V. Barreto, Administrator, Small Business Administration; Montana State Auditor John Morrison, Commissioner for Insurance and Securities, Helena, on behalf of the National Association of Insurance Commissioners; Doug Newman, Newman Concrete Services, Inc., Hallowell, Maine, on behalf of the National Federation of Independent Business; Al Mansell, National Association of Realtors, and Len Nichols, The New America Foundation, both of Washington, D.C.; W. Thomas Haynes, The Coca-Cola Bottlers' Association, Atlanta, Georgia, on behalf of the Association Healthcare Coalition; and William N. Lindsay III, Denver, Colorado.

BUSINESS MEETING

Select Committee on Intelligence: Committee met in closed session to consider pending intelligence matters.

Committee recessed subject to the call.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Measures Introduced: 34 public bills, H.R. 1713–1746; 1 private bill, H.R. 1747; and 1 resolution, H. Res. 223, were introduced. **Page 7319**

Additional Cosponsors: **Page 7321**

Reports Filed: No reports were filed today.

Chaplain: The prayer was offered today by Monsignor George B. Flinn, Vicar General, Pastoral Life in Ministry, Diocese of Altoona-Johnstown, Pennsylvania. **Page 7071**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Ray Charles Post Office Building Designation Act: H.R. 504, to designate the facility of the United States Postal Service located at 4960 West Washington Boulevard in Los Angeles, California, as the "Ray Charles Post Office Building"; **Page 7075**

Sergeant Byron W. Norwood Post Office Building Designation Act: H.R. 1001, to designate the facility of the United States Postal Service located at 301 South Heatherwilde Boulevard in Pflugerville, Texas, as the "Sergeant Byron W. Norwood Post Office Building"; **Page 7077**

Recognizing a National Week of Hope in commemoration of the 10-year anniversary of the terrorist bombing in Oklahoma City: H. Res. 184, recognizing a National Week of Hope in commemoration of the 10-year anniversary of the terrorist bombing in Oklahoma City; **Page 7078**

Judge Emilio Vargas Post Office Building Designation Act: H.R. 1072, to designate the facility of the United States Postal Service located at 151 West End Street in Goliad, Texas, as the "Judge Emilio Vargas Post Office Building"; **Page 7083**

Supporting the goals and ideals of National Indoor Comfort Week: H. Res. 130, amended, recognizing the contributions of environmental systems and the technicians who install and maintain them to the quality of life of all Americans and supporting the goals and ideals of National Indoor Comfort Week; **Page 7085**

Expressing condolences and sympathies in the aftermath of the recent school shooting at Red Lake High School in Red Lake, Minnesota: H. Con. Res. 126, expressing the condolences and deepest sympathies of the Congress in the aftermath of the recent school shooting at Red Lake High School in Red Lake, Minnesota, by a ⅔ yea-and-nay vote of 424 yeas with none voting "nay", Roll No. 113; and **Pages 7086, 7097**

Recognizing the 50th anniversary of the discovery of the polio vaccine: H. Res. 208, amended, recognizing the University of Pittsburgh and Dr. Jonas Salk on the fiftieth anniversary of the milestone discovery of the Salk polio vaccine, which has virtually eliminated the disease and its harmful effects, by a ⅔ yea-and-nay vote of 422 yeas with none voting "nay", Roll No. 114. **Pages 7090, 7098**

Agreed to amend the title so as to read: Resolution recognizing the University of Pittsburgh, Dr. Jonas Salk, the University of Michigan, and Dr. Thomas Frances, Jr., on the fiftieth anniversary of the discovery and the declaration that the Salk polio vaccine was potent, virtually eliminating the disease and its harmful effects. **Page 7099**

Energy Policy Act of 2005: The House began consideration of H.R. 6, to ensure jobs for our future with secure, affordable, and reliable energy. Further consideration will resume tomorrow, April 21. **Pages 7112, 7293**

Agreed by unanimous consent that the Waxman amendment be allowed to be considered at any time. **Page 7293**

Agreed to:

Hall manager's amendment (No. 1 printed in H. Rept. 109–49) that makes a number of changes to the bill; **Page 7245**

Slaughter amendment (No. 8 printed in H. Rept. 109–49) that requires any escalator being installed in federal buildings to be an Intermittent Escalator; **Page 7291**

Dingell amendment (No. 10 printed in H. Rept. 109–49) that authorizes $20 million for the Administrator of General Services Administration to install a photovoltaic solar electric system at the headquarters of the Energy Department; **Page 7292**

Abercrombie amendment (No. 11 printed in H. Rept. 109–49) that authorizes a 3-year demonstration program for producing ethanol from sugar cane; **Page 7294**

Conaway amendment (No. 13 printed in H. Rept. 109–49) that provides that the Department of Energy, in consultation with the Labor and Interior Departments, will evaluate and report on both the short and longer term availability of skilled workers to meet the energy security needs of the U.S.; **Page 7298**

Rogers of Michigan amendment (No. 6 printed in H. Rept. 109–49) that amends the Johnson (CT) amendment, to direct the Administrator of the EPA to revise certain Federal vehicle fuel economy adjustment factors to provide consumers with accurate fuel economy information on new vehicle labels (by a recorded vote of 259 ayes to 172 noes, Roll No. 119); and **Pages 7270, 7304**

Johnson of Connecticut amendment (No. 5 printed in H. Rept. 109–49), as amended by the Rogers (MI) amendment, that requires the EPA's fuel economy test procedures reflect current driving patterns and conditions and provide consumers with more accurate information about fuel economy (by a recorded vote of 346 ayes to 85 noes, Roll No. 120. **Pages 7269, 7304**

Rejected:

Solis amendment (No. 14 printed in H. Rept. 109–49) that sought to strike all of Title III, Subtitle D, the Refinery Revitalization Act (by a recorded vote of 182 ayes to 248 noes, Roll No. 115); **Pages 7299, 7301**

Kaptur amendment (No. 12 printed in H. Rept. 109–49) that sought to provide the Secretary of Energy the authority to include in the Strategic Petroleum Reserve alternative fuels, including ethanol and biodiesel and rename the reserve the "Strategic Fuels Reserve" (by a recorded vote of 186 ayes to 239 noes, Roll No. 116); **Pages 7296, 7302**

Waxman amendment (No. 9 printed in H. Rept. 109–49) that sought to require the Administration to take "voluntary, regulatory, and other actions" to reduce oil demand in the U.S. by 1 million barrels per day from projected levels by 2013 (by a recorded vote of 166 ayes to 262 noes, Roll No. 117); **Pages 7292, 7302**

Bishop of New York amendment (No. 7 printed in H. Rept. 109–49) that sought to contain a number of provisions designed to reduce dependence on nonrenewable energy sources (by a recorded vote of 170 ayes to 259 noes, Roll No. 118); **Pages 7273, 7303**

Boehlert amendment (No. 4 printed in H. Rept. 109–49) that sought to direct the Secretary of Transportation to increase fuel economy standards from today's average of 25 miles/gallon to 33 miles/gallon over 10 years (by a recorded vote of 177 ayes to 254 noes, Roll No. 121); **Pages 7265, 7305**

Markey amendment (No. 3 printed in H. Rept. 109–49) that sought to strike the provisions that will allow oil and gas exploration in the Arctic National Wildlife Refuge (by a recorded vote of 200 ayes to 231 noes, Roll No. 122); and **Pages 7260, 7306**

Dingell amendment (No. 2 printed in H. Rept. 109–49) that sought to increase penalties for violations of the Federal Power Act and authorizes the Federal Energy Regulatory Commission to refund electricity overcharges (by a recorded vote of 188 ayes to 243 noes, Roll No. 123). **Pages 7250, 7306**

H. Res. 219, the rule providing for consideration of the bill was agreed to by voice vote. **Page 7092**

Earlier it was agreed to proceed with the consideration of the resolution by a yea-and-nay vote of 231 yeas to 193 nays, Roll No. 112. **Page 7097**

Quorum Calls—Votes: Three yea-and-nay votes and nine recorded votes developed during the proceedings today and appear on pages 7097–99 and 7301–07. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:59 p.m.

Committee Meetings

DEPARTMENT OF LABOR, HHS, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on the Department of Labor, Health and Human Services, Education, and Related Agencies held a hearing on the Corporation for National and Community Service (CNCS). Testimony was heard from David Eisner, CEO, Corporation for National and Community Service.

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HUD, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and Independent Agencies held a hearing on the Federal Motor Carriers Safety Administration. Testimony was heard from Annette M. Sandberg, Administrator, Federal

Motor Carriers Safety Administration, Department of Transportation.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS

Committee on Appropriations: Subcommittee on Foreign Operations, Export Financing, and Related Programs held a hearing on U.S. Agency for International Development. Testimony was heard from Andrew S. Natsios, Administrator, U.S. AID.

SCIENCE, THE DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Science, The Departments of State, Justice, and Commerce, and Related Agencies held a hearing on NASA. Testimony was heard from Frederick D. Gregory, Deputy Administrator, NASA.

VIDEO AND DATA INTERNET COMMUNICATIONS

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held a hearing entitled "How Internet Protocol-Enabled Services Are Changing the Face of Communications: A Look at Video and Data Services." Testimony was heard from public witnesses.

GENERATIONS WORKING TOGETHER: FINANCIAL LITERACY AND SOCIAL SECURITY REFORM

Committee on Financial Services: Held a hearing entitled "Generations Working Together: Financial Literacy and Social Security Reform." Testimony was heard from former Senator Alan Simpson of Wyoming; and former Representatives Tim Penny of Minnesota; and Barbara Kennelly of Connecticut; and public witnesses.

ELECTRONIC CHECK CLEARING

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled "Implementation of the Check Clearing for the 21st Century Act." Testimony was heard from Louise L. Roseman, Director, Division of Reserve Bank Operations and Payment Systems, Federal Reserve Board, Federal Reserve System; and public witnesses.

DEPARTMENT OF HOMELAND SECURITY CYBERSECURITY ENHANCEMENT ACT

Committee on Homeland Security: Subcommittee on Economic Security, Infrastructure Protection, and Cybersecurity approved for full Committee action H.R. 285, Department of Homeland Security Cybersecurity Enhancement Act of 2005.

Prior to this action, the Subcommittee held a hearing on this measure. Testimony was heard from public witnesses.

HOMELAND SECURITY DEPARTMENT MANAGEMENT CHALLENGES

Committee on Homeland Security: Subcommittee on Management, Integration, and Oversight held a hearing entitled "Management Challenges Facing the Department of Homeland Security." Testimony was heard from Richard L. Skinner, Acting Inspector General, Department of Homeland Security; Norman Rabkin, Managing Director, Homeland Security and Justice, GAO; James S. Gilmore III, Chairman, National Council on Readiness and Preparedness; and public witnesses.

HOMELAND SECURITY DEPARTMENT NUCLEAR DETECTION

Committee on Homeland Security: Subcommittee on Prevention of Nuclear and Biological Attacks concluded hearings entitled "DHS Coordination of Nuclear Detection Efforts, Part II." Testimony was heard from Vayl Oxford, Acting Director, Domestic Nuclear Detection Office, Department of Homeland Security.

527 REGULATION

Committee on House Administration: Held a hearing on Regulation of 527 Organizations. Testimony was heard from Representatives Shays, Meehan, Pence and Wynn; and public witnesses.

FOCUS ON A CHANGING JAPAN

Committee on International Relations: Subcommittee on Asia and the Pacific held a hearing entitled "Focus on a Changing Japan." Testimony was heard from public witnesses.

MIDDLE EAST AND THE UNITED NATIONS

Committee on International Relations: Subcommittee on Middle East and Central Asia held a hearing on the Middle East and the United Nations. Testimony was heard from Philo L. Dibble, Principal Deputy Assistant Secretary, Bureau of International Organization Affairs, Department of State; Richard S. Schifter, former U.S. Representative to the United Nations Human Rights Commission, and Deputy U.S. Representative to the United Nations Security Counsel; and Richard S. Williamson, former U.S. Ambassador and Alternate Representative for Special Political Affairs to the United Nations.

MISCELLANEOUS MEASURE; GANGS AND CRIME IN LATIN AMERICA

Committee on International Relations: Subcommittee on Western Hemisphere approved for full Committee action H. Res. 193, Expressing support to the organizers and participants of the historic meeting of the Assembly to Promote the Civil Society in Cuba on May 20, 2005, in Havana.

The Subcommittee also held a hearing on Gangs and Crime in Latin America. Testimony was heard from Adolfo A. Franco, Assistant Administrator, Bureau of

Latin America and Caribbean, U.S. Agency for International Development; Chris Swecker, Assistant Director, Criminal Investigation Division, FBI, Department of Justice; John P. Torres, Deputy Assistant Director, U.S. Immigration and Customs Enforcement, Department of Homeland Security; and public witnesses.

MISCELLANEOUS MEASURES; OVERSIGHT—INDUSTRY COMPETITION

Committee on the Judiciary: Ordered reported the following measures: H.R. 1279, amended, Gang Deterrence and Community Protection Act; and H. Res. 210, Supporting the goals of World Intellectual Property Day, and recognizing the importance of intellectual property in the United States and Worldwide.

The Committee began markup of H.R. 800, Protection of Lawful Commerce in Arms Act.

The Committee also held an oversight hearing on Industry Competition and Consolidation: The Telecom Marketplace Nine Years After the Telecom Act. Testimony was heard from public witnesses.

PATENT QUALITY IMPROVEMENT

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property held an oversight hearing entitled "Committee Print Regarding Patent Quality Improvement." Testimony was heard from public witnesses.

GUAM WAR CLAIMS REVIEW COMMISSION IMPLEMENT RECOMMENDATIONS

Committee on Resources: Held a hearing on H.R. 1595, To implement the recommendations of the Guam War Claims Review Commission. Testimony was heard from the following former Delegates from Guam: Ben Garrido Blaz; and Robert Underwood; and the following officials of Guam: Felix P. Camacho, Governor; Antonio R. Unpingco and Benjamin J. Cruz, both Senators, Legislature.

UNITED STATES TSUNAMI WARNING AND EDUCATION ACT

Committee on Science: Subcommittee on Environment, Technology, and Standards approved for full Committee action H.R. 1674, United States Tsunami Warning and Education Act.

FUTURE MARKET FOR COMMERCIAL SPACE

Committee on Science: Subcommittee on Space and Aeronautics held a hearing on the Future Market for Commercial Space. Testimony was heard from public witnesses.

OVERSIGHT—AIR TRAFFIC MANAGEMENT BY FOREIGN COUNTRIES

Committee on Transportation and Infrastructure: Subcommittee on Aviation held an oversight hearing on Air Traffic Management by Foreign Countries. Testimony was heard from Gerald L. Dillinghman, Director, Physical Infrastructure Issues, GAO; and public witnesses.

OVERSIGHT—DEEPWATER IMPLEMENTATION

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation held an oversight hearing on Deepwater Implementation. Testimony was heard from ADM Thomas A. Collins, USCG, Commandant, United States Coast Guard, Department of Homeland Security; and Margaret T. Wrightson, Director, Homeland Security and Justice Issues, GAO.

OVERSIGHT—NATIONAL CEMETERY ADMINISTRATION

Committee on Veterans' Affairs: Subcommittee on Disability Assistance and Memorial Affairs an oversight hearing on the National Cemetery Administration. Testimony was heard from Richard Wannemacher, Jr., Acting Under Secretary, Memorial Affairs, National Cemetery Administration, Department of Veterans Affairs; and public witnesses.

OVERSIGHT—VOCATIONAL REHABILITATION AND EMPLOYMENT PROGRAM

Committee on Veterans' Affairs: Subcommittee on Economic Opportunity held an oversight hearing on the Department of Veterans Affairs' Vocational Rehabilitation and Employment Program. Testimony was heard from Cynthia Bascetta, Director, Veterans' Health and Benefits Issues, GAO; Judy Caden, Director, Vocational Rehabilitation and Employment Program, Veterans Benefits Administration, Department of Veterans Affairs; and public witnesses.

OVERVIEW—TAX-EXEMPT SECTOR

Committee on Ways and Means: Held a hearing on an Overview of the Tax-Exempt Sector. Testimony was heard from David M. Walker, Comptroller General, GAO; Douglas Holtz-Eakin, Director, CBO; Sheldon S. Cohen, former Commissioner, IRS, Department of the Treasury; and pubic witnesses.

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Thursday, April 21, 2005

Senate

Chamber Action

Routine Proceedings, pages 7412–7511

Measures Introduced: Twenty-four bills and one resolution were introduced, as follows: S. 866–889, and S. Res. 118. **Page 7479**

Measures Reported:

S. 339, to reaffirm the authority of States to regulate certain hunting and fishing activities.

S. 378, to make it a criminal act to willfully use a weapon with the intent to cause death or serious bodily injury to any person while on board a passenger vessel, with an amendment in the nature of a substitute. **Page 7479**

Measures Passed:

Supplemental Appropriations: By a unanimous vote of 99 yeas (Vote No. 109), Senate passed H.R. 1268, making emergency supplemental appropriations for defense, the global war on terror, and tsunami relief, for the fiscal year ending September 30, 2005, after taking action on the following amendments proposed thereto: **Page 7451**

Adopted:

Corzine Modified Amendment No. 368, to provide additional assistance in Sudan. **Page 7452**

DeWine Amendment No. 551 (to Amendment No. 564), to make the traumatic injury insurance provision retroactive for servicemembers injured in Iraq. **Page 7454**

Craig/Akaka Amendment No. 564, to amend title 38, United States Code, to provide a traumatic injury protection rider to servicemembers insured under section 1967(a)(1) of such title, as amended. **Page 7453**

Ensign Amendment No. 487, to provide for additional border patrol agents for the remainder of fiscal year 2005. **Page 7452**

Subsequently, the amendment was modified. **Page 7460**

By 61 yeas to 39 nays (Vote No. 108), Bayh Amendment No. 520, to appropriate an additional $213,000,000 for Other Procurement, Army, for the procurement of Up-Armored High Mobility Multipurpose Wheeled Vehicles (UAHMMWVs). **Pages 7452, 7456, 7457**

Stevens (for DeWine) Amendment No. 565, to express the sense of the Senate that Congress should enact an increase for the period of continued TRICARE coverage of children of members of the uniformed services who die while serving on active duty for a period of more than 30 days and make such increased period applicable to children of members who have died since the commencement of military operations in Afghanistan. **Page 7459**

Stevens (for Kennedy) Modified Amendment No. 421, to express the sense of the Senate on funding for the continuing development of the permanent magnet motor. **Page 7459**

Stevens (for Schumer/Boxer) Modified Amendment No. 484, to express the sense of the Senate on funding for the procurement of man-portable air defense (MANPAD) systems. **Page 7459**

Stevens (for Dodd) Modified Amendment No. 502, to express the sense of the Senate on funding for the replenishment of medical supply needs within the combat theaters of the Army. **Page 7459**

Stevens (for Frist) Amendment No. 566, to amend the Immigration and Nationality Act to provide for entry of nationals of Australia. **Page 7459**

Stevens (for Reid) Amendment No. 389, to reaffirm the authority of States to regulate certain hunting and fishing activities. **Page 7459**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Cochran, Stevens, Specter, Domenici, Bond, McConnell, Burns, Shelby, Gregg, Bennett, Craig, Hutchison, DeWine, Brownback, Allard, Byrd, Inouye, Leahy, Harkin, Mikulski, Reid, Kohl, Murray, Dorgan, Feinstein, Durbin, Johnson, and Landrieu. **Page 7466**

State Mediation Program Reauthorization: Committee on Agriculture, Nutrition and Forestry was discharged from further consideration of S. 643, to amend the Agricultural Credit Act of 1987 to reauthorize State mediation programs, and the bill was then passed. **Page 7510**

Nominations Confirmed: Senate confirmed the following nominations:

By 98 yeas 2 nays (Vote No. 107), John D. Negroponte, of New York, to be Director of National Intelligence. **Pages 7423, 7456, 7511**

Lieutenant General Michael V. Hayden, United States Air Force, to be Principal Deputy Director of National Intelligence. **Pages 7458, 7511**

1 Air Force nomination in the rank of general. **Pages 7458, 7511**

Nominations Received: Senate received the following nominations:

2 Army nominations in the rank of general.

1 Marine Corps nomination in the rank of general.

A routine list in the Navy. **Page 7511**

Messages From the House: **Page 7477**

Measures Referred: **Page 7477**

Measures Read First Time: **Page 7478**

Executive Communications: **Page 7478**

Executive Reports of Committees: **Page 7479**

Additional Cosponsors: **Page 7480**

Statements on Introduced Bills/Resolutions: **Page 7482**

Additional Statements: **Page 7476**

Amendments Submitted: **Page 7507**

Notices of Hearings/Meetings: **Page 7509**

Authority for Committees to Meet: **Page 7509**

Record Votes: Three record votes were taken today. (Total—109) **Pages 7456, 7458, 7466**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 5:58 p.m., until 9:30 a.m., on Friday, April

22, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 7510.)

Committee Meetings

APPROPRIATIONS: OMB

Committee on Appropriations: Subcommittee on Transportation, Treasury, The Judiciary, Housing and Urban Development, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2006, after receiving testimony in behalf of funds for the respective activities of Joshua B. Bolten, Director, Office of Management and Budget.

METHAMPHETAMINE ABUSE

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Agencies concluded a hearing to examine methamphetamine abuse, focusing on behavioral and health effects of the drug, and prevention and treatment strategies, after receiving testimony from Charles G. Curie, Administrator, Substance Abuse and Mental Health Services Administration, and Nora D. Volkow, Director, National Institute on Drug Abuse, National Institutes of Health, both of the Department of Health and Human Services; Vicki Sickels, Iowa Lutheran Hospital, Des Moines; and Richard E. Steinberg, WestCare Foundation, Inc., Sylva, North Carolina.

NOMINATIONS

Committee on Armed Services: Committee ordered favorably reported the nomination of Lieutenant General Michael V. Hayden, United States Air Force, for appointment to the grade of general.

Prior to this action, committee concluded a hearing to examine the nominations of Kenneth J. Krieg, of Virginia, to be Under Secretary of Defense for Acquisition, Technology, and Logistics, who was introduced by Senator Sununu; and Lieutenant General Michael V. Hayden (listed above), who was introduced by Senators Roberts and Collins, after each nominee testified and answered questions in their own behalf.

DOD HEALTH CARE COSTS

Committee on Armed Services: Subcommittee on Personnel concluded a hearing to examine present and future costs of Department of Defense health care, and national health care trends in the civilian sector, after receiving testimony from Senator Coburn; David S.C. Chu, Under Secretary for Personnel and Readiness, and William Winkenwerder, Jr., Assistant Secretary for Health Affairs, both of the Department of Defense; David Blumenthal, Massachusetts General Hospital Institute for Health Policy, and Harvard Medical School, Boston; Robert S. Galvin, General Electric Company, Stamford, Connecticut; and Susan D. Hosek, Rand Corporation, Santa Monica, California.

HOUSING GOVERNMENT-SPONSORED ENTERPRISES

Committee on Banking, Housing, and Urban Affairs: Committee concluded hearings to examine proposals to improve the regulation of Housing Government-Sponsored Enterprises, focusing on proposed policies to improve the balance of federal costs and benefits from the operations of Fannie Mae, Freddie Mac, and the Federal Home Loan Banks, after receiving testimony from Douglas Holtz-Eakin, Director, Congressional Budget Office; David M. Walker, Comptroller General of the United States, Government Accountability Office; Armando Falcon, Jr., Director, Office of Federal Housing Enterprise Oversight, Department of Housing and Urban Development; and Ronald A. Rosenfeld, Chairman, Federal Housing Finance Board.

HUD: BUDGET

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Housing and Transportation concluded a hearing to examine the President's proposed budget request for fiscal year 2006 for the Department of Housing and Urban Development, after receiving testimony from Alphonso Jackson, Secretary of Housing and Urban Development.

BUDGET PROCESS REFORM

Committee on the Budget: Committee concluded a hearing to examine structural deficits and federal budget process reform, focusing on the United States economy, procedural restraints on budget-making mechanisms, the aging U.S. population, and medical care costs, after receiving testimony from Alan Greenspan, Chairman, Board of Governors of the Federal Reserve System.

AMTRAK REAUTHORIZATION

Committee on Commerce, Science, and Transportation: Subcommittee on Surface Transportation and Merchant Marine concluded a hearing to examine the proposed reauthorization of Amtrak, focusing on intercity passenger rail service reform, after receiving testimony from Jeffrey A. Rosen, General Counsel, and Kenneth M. Mead, Inspector General, both of the Department of Transportation; and David M. Laney and David L. Gunn, both of the National Railroad Passenger Corporation (Amtrak).

NOMINATION

Committee on Finance: Committee concluded a hearing to examine the nomination of Robert J. Portman, of Ohio, to be United States Trade Representative, with the rank of Ambassador, after the nominee, who was introduced by Senators DeWine, Voinovich, and Bunning, testified and answered questions in his own behalf.

DEVELOPMENT BANK ANTI-CORRUPTION

Committee on Foreign Relations: Committee concluded a hearing to examine anti-corruption strategies of the African Development Bank, Asian Development Bank and European Bank on Reconstruction and Development, focusing on corporate culture and environment that features enhanced corporate governance, internal controls and compliance that promotes good governance in its countries of operation, after receiving testimony from Paul W. Speltz, Asian Development Bank, Manila, Philippines; Mark Sullivan, III, European Bank for Reconstruction and Development, London, United Kingdom; Hemantha Withanage, Center for Environmental Justice, and Sri Lankan Working Group on Trade and International Financial Institutions, Colombo, Sri Lanka; and Ted Devine, Government Accountability Project, Washington, D.C.

FEDERAL WORKFORCE FLEXIBILITIES

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia concluded an oversight hearing to examine governmentwide workforce flexibilities available to federal agencies including the implementation, use by agencies, and training and education related to using the new flexibilities, after receiving testimony from Marta Brito Perez, Associate Director for Human Capital Leadership and Merit System Accountability, Office of Personnel Management; Eileen R. Larence, Director, Strategic Issues, Government Accountability Office; Jeffery K. Nulf, Deputy Assistant Secretary of Commerce for Administration; Evelyn M. White, Acting Assistant Secretary of Health and Human Services for Administration and Management; Rafael DeLeon, Director, Office of Human Resources, Environmental Protection Agency; and Vicki A. Novak, Assistant Administrator for Human Capital Management and Chief Human Capital Officer, National Aeronautics and Space Administration.

PRESIDENT'S MANAGEMENT AGENDA

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, and International Security concluded a hearing to examine the President's Management Agenda, including Federal financial performance, best practices, and program accountability, after receiving testimony from David M. Walker, Comptroller General of the United States, Government Accountability Office; and Clay Johnson, III, Deputy Director for Management, Office of Management and Budget.

EARLY EDUCATION

Committee on Health, Education, Labor, and Pensions: On Wednesday, April 20, 2005, Subcommittee on Education and Early Childhood Development held a hearing to examine the Federal role to improve the effectiveness and coordination of early childhood education programs, including the Head Start program, the Child Care and Development Fund (CCDF), and increasing food security and reducing hunger, receiving testimony from Wade F. Horn, Assistant Secretary of Health and Human Services for Children and Families; Raymond Simon, Assistant Secretary of Education for Elementary and Secondary Education; and Kate Coler, Deputy Under Secretary of Agriculture for Food, Nutrition, and Consumer Services.

Hearing recessed subject to the call.

SMALL BUSINESS HEALTH FAIRNESS ACT

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine easing costs and expanding access relating to small businesses and health insurance, focusing on S. 406, to amend title I of the Employee Retirement Security Act of 1974 to improve access and choice for entrepreneurs with small businesses with respect to medical care for their employees, after receiving testimony from Sandy Praeger, Commissioner of Insurance, Topeka, Kansas, on behalf of the National Association of Insurance Commissioners; Mitchell Blake, Ward & Blake Architects, Jackson, Wyoming, on behalf of the National Federation of Independent Business; Joseph E. Rossmann, Associated Builders and Contractors, Inc., Arlington, Virginia, on behalf of the Association Health Plan Coalition; Karen Ignagni, America's Health Insurance Plans, Washington, D.C.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 378, to make it a criminal act to willfully use a weapon with the intent to cause death or serious bodily injury to any person while on board a passenger vessel, with an amendment in the nature of a substitute;

S. 629, to amend chapter 97 of title 18, United States Code, relating to protecting against attacks on railroads and other mass transportation systems, with an amendment;

S. 339, to reaffirm the authority of States to regulate certain hunting and fishing activities; and

The nominations of Priscilla Richman Owen, of Texas, to be United States Circuit Judge for the Fifth Circuit, and Janice R. Brown, of California, to be United States Circuit Judge for the District of Columbia Circuit.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

House of Representatives

Chamber Action

Measures Introduced: 64 public bills, H.R. 1748–1811; and 11 resolutions, H.J. Res. 43, H. Con. Res. 137–138, and H. Res. 224–231 were introduced. **Page 7407**

Additional Cosponsors: **Page 7410**

Reports Filed: Reports were filed today as follows:

H.R. 741, to amend the Occupational Safety and Health Act of 1970 to provide for judicial deference to conclusions of law determined by the Occupational Safety and Health Review Commission with respect to an order issued by the Commission, amended (H. Rept. 109–50);

H.R. 748, to amend title 18, United States Code, to prevent the transportation of minors in circumvention of certain laws relating to abortion, amended (H. Rept. 109–51);

H. Res. 22, expressing the sense of the House of Representatives that American small businesses are entitled to a Small Business Bill of Rights, amended (H. Rept. 109–52). **Page 7407**

Speaker: Read a letter from the Speaker wherein he appointed Representative Miller of Michigan to act as Speaker Pro Tempore for today. **Page 7329**

Chaplain: The prayer was offered today by Bishop Vicken Aykazian, The Armenian Catholic Church of America in Washington D.C. **Page 7329**

Energy Policy Act of 2005: The House passed H.R. 6, to ensure jobs for our future with secure, affordable, and reliable energy, by a recorded vote of 249 ayes to 183 noes, Roll No. 132. **Page 7331**

Agreed by unanimous consent that debate on the Capps motion to strike be limited to 30 minutes. **Page 7349**

Agreed to:

Ford amendment (No. 16 printed in H. Rept. 109–49) that authorizes the EPA to establish a program to encourage the domestic production of hybrid and advanced diesel vehicles; **Page 7334**

Kucinich amendment (No. 17 printed in H. Rept. 109–49), as modified, that increases the number of project grants to local governments under the pilot program for the Department of Energy's Clean Cities program, and reduces the maximum dollar amount of grants; **Page 7336**

Millender-McDonald amendment (No. 18 printed in H. Rept. 109–49) that establishes a Diesel Truck Retrofit and Fleet Modernization Program; **Page 7337**

Blumenauer amendment (No. 19 printed in H. Rept. 109–49) that establishes a Conserve by Bicycling pilot program within the Department of Transportation; **Page 7338**

Jackson-Lee amendment (No. 20 printed in H. Rept. 109–49) that earmarks $5 million annually for bioenergy training and education targeted to minority and socially disadvantaged farmers and ranchers; **Page 7339**

Tom Davis of Virginia amendment (No. 21 printed in H. Rept. 109–49) that strikes the provision that would create two new, Senate-confirmed, assistant secretary positions in the Energy Department (agreed to extend the time for debate); **Page 7341**

Walsh amendment (No. 22 printed in H. Rept. 109–49) that establishes an annual award for organizations that have advanced the field of renewable energy technology; **Page 7343**

Engel amendment (No. 23 printed in H. Rept. 109–49) that makes producers of "approved renewable fuels" eligible for grants to build production facilities for renewable fuels (by a recorded vote of 239 ayes to 190 noes, Roll No. 125); **Pages 7344, 7347**

Israel amendment (No. 24 printed in H. Rept. 109–49) that requires the Comptroller General of the U.S. to conduct a study on the impact of the consolidation of gasoline wholesales on the gasoline retail market (by a recorded vote of 302 ayes to 128 noes, Roll No. 126); **Pages 7346, 7348**

Holt amendment (No. 26 printed in H. Rept. 109–49) that requires the Secretary of Energy, within two years of enactment, to report to Congress on potential fuel savings from information technology systems designed to help businesses and consumers to plan their travel and avoid delays; **Page 7349**

Inslee amendment (No. 28 printed in H. Rept. 109–49) that reduces by 50% any royalty payments for wind energy generation on land managed by the Bureau of Land Management; and **Page 7361**

Kucinich amendment (No. 25 printed in H. Rept. 109–49) that authorizes a National Academy of Sciences study on the feasibility of mustard seed as a feedstock for biodiesel (by a recorded vote of 259 ayes to 171 noes, Roll No. 127). **Pages 7349, 7370**

Rejected:

Udall of New Mexico (No. 15 printed in H. Rept. 109–49) that sought to strike the provision that authorizes $10 million annually for three fiscal years for a program to identify, test, and develop improved techniques for mining uranium and for environmentally restoring uranium-mine sites (by a recorded vote of 204 ayes to 225 noes, Roll No. 124); **Pages 7331, 7347**

Grijalva amendment (No. 27 printed in H. Rept. 109–49) that sought to strike the section which requires the Secretary of the Interior to suspend the collection of royalty payments to the Treasury for offshore oil and gas production on the Outer Continental Shelf in the Gulf of Mexico (by a recorded vote of 203 yeas to 227 noes, Roll No. 128); **Pages 7350, 7370**

Capps motion to strike that sought to strike within title XV, section 1502, ", or methyltertiary butyl ether (hereinafter in this section refered to as 'MTBE')" and to strike "or MTBE" in each place it appears (by a recorded vote of 213 ayes to 219 noes, Roll No. 129);

Pages 7352, 7371

Hastings of Florida amendment (No. 29 printed in H. Rept. 109–49) that sought to expand the definition of environmental justice, direct each Federal Agency to establish an office of environmental justice, and reestablish the interagency Federal Working Group on Environmental Justice (by a recorded vote of 185 ayes to 243 noes, Roll No. 130); and **Pages 7362, 7372**

Castle amendment (No. 30 printed in H. Rept. 109–49) that sought to strike a provision that specifies the Federal Energy Regulatory Commission, instead of state and local agencies, has the authority to approve the construction, expansion, or operation of any facility that imports or processes natural gas including liquefied natural gas (agreed to extend time for debate) (by a recorded vote of 194 ayes to 237 noes, Roll No. 131. **Pages 7365, 7373**

Agreed that in the engrossment of the bill, the Clerk be authorized to make technical and conforming changes as may be necessary to reflect the actions of the House.

Page 7390

H. Res. 219, the rule providing for consideration of the bill was agreed to yesterday, April 20.

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at noon on Monday, April 25, and further, that when the House adjourns on that day, it adjourn to meet at 12:30 p.m. on Tuesday, April 26 for Morning Hour debate. **Page 7388**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, April 27.

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Quorum Calls—Votes: Nine recorded votes developed during the proceedings today and appear on pages 7347–49, 7470–73, and 7387. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 7:28 p.m.

Committee Meetings

SECURE RURAL SCHOOLS ACT IMPLEMENTATION

Committee on Agriculture: Held a hearing to review Implementation of the Secure Rural Schools Act of 2000: A Continuing Commitment to Rural Education and Sustainable Forestry. Testimony was heard from Mark E. Rey, Under Secretary, Natural Resources and Environment, USDA; and public witnesses.

DEPARTMENT OF LABOR, HHS, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on the Department of Labor, Health and Human Services, Education, and Related Agencies continued appropriation hearings. Testimony was heard from public witnesses.

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HUD, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and Independent Agencies held a hearing on the Department of the Treasury. Testimony was heard from John W. Snow, Secretary of the Treasury.

SCIENCE, THE DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Science, the Departments of State, Justice, and Commerce, and Related Agencies, on Department of State held a hearing on International Organizations. Testimony was heard from Kim R. Holmes. Assistant Secretary, International Organization Affairs, Department of State.

EARLY CHILDHOOD EDUCATION

Committee on Education and the Workforce: Subcommittee on Education Reform held a hearing on Early Childhood Education: Improvement Through Integration. Testimony was heard from Marsha Moore, Commissioner, Department of Early Care and Learning, State of Georgia; and public witnesses.

SARBANES-OXLEY IMPACT

Committee on Financial Services: Held a hearing entitled "The Impact of the Sarbanes-Oxley Act." Testimony was heard from William H. Donaldson, Chairman, SEC; and a public witness.

OMB MANAGEMENT WATCH LIST

Committee on Government Reform: Held a hearing entitled "OMB Management Watch List: $65 Billion Reasons to Ensure the Federal Government is Effectively Managing Information Technology Investments." Testimony was heard from Karen Evans, Administrator, Electronic Government and Information Technology, OMB; David Powner, Director, Information Technology Management Issues, GAO; Dan Matthews, Chief Information Officer, Department of Transportation; Robert McFarland, Assistant Secretary, Information Technology, Department of Veterans Affairs; Rosita Parkes, Chief Information Officer, Department of Energy, and Lisa Schlosser, Chief Information Officer, Department of Housing and Urban Development.

FASTER AND SMARTER FUNDING FOR FIRST RESPONDERS ACT

Committee on Homeland Security: Ordered reported, as amended, H.R. 1544, Faster and Smarter Funding for First Responders Act of 2005.

COMMITTEE FUNDING RESOLUTION

Committee on House Administration: Ordered reported H. Res. 224, providing for the expenses of certain committees of the House of Representatives in the One Hundred Ninth Congress.

ARAB WORLD—POLITICAL LIBERALIZATION

Committee on International Relations: Held a hearing on Redefining Boundaries: Political Liberalization in the Arab World. Testimony was heard from public witnesses.

ZIMBABWE ELECTIONS

Committee on International Relations: Subcommittee on Africa, Global Human Rights and International Operations held a hearing on Zimbabwe: Prospects for Democracy after the March 2005 Elections. Testimony was heard from Constance Berry Newman, Assistant Secretary, Bureau of African Affairs, Department of State; and public witnesses.

OVERSIGHT—USA PATRIOT ACT

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held an oversight hearing on the Implementation of the USA PATRIOT Act: Sections of the Act that Address—Crime, Terrorism, and the Age of Technology. Testimony was heard from the following officials of the Department of Justice: Laura H. Parsky, Deputy Assistant Attorney General; and Steven M. Martinez, Deputy Assistant Director, Cyber Division, FBI; and public witnesses.

OVERSIGHT—VISA WAIVER PROGRAM

Committee on the Judiciary: Subcommittee on Immigration, Border Security, and Claims held an oversight hearing entitled "October, 2005 deadline for Visa Waiver Program Countries to produce Secure Passports: Why it matters to Homeland Security." Testimony was heard from the following officials of the Department of Homeland Security: Elaine Dezenski, Acting Assistant Secretary, Policy and Planning, Border and Transportation Security Directorate; and Richard L. Skinner, Acting Inspector General; and public witnesses.

OVERSIGHT—NATIONAL HISTORIC PRESERVATION ACT

Committee on Resources: Subcommittee on National Parks held an oversight hearing on the National Historic Preservation Act. Testimony was heard from Jan Matthews, Associate Director, Cultural Resources, National Park Service, Department of the Interior; John Nau, Chairman, Advisory Council on Historic Preservation; and public witnesses.

SMALL BUSINESS GROWTH

Committee on Small Business: Subcommittee on Workforce, Empowerment, and Government Programs held a hearing entitled "Removing Obstacles to Job Creation: How Can the Federal Government Help Small Businesses Revitalize the Economy?" Testimony was heard from public witnesses.

CAFTA IMPLEMENTATION

Committee on Ways and Means: Held a hearing on Implementation of the Dominican Republic-Central America Free Trade Agreement (DR–CAFTA). Testimony was heard from Representatives Burton, Dreier, Kaptur, DeFazio, Peterson of Minnesota, Lungren and Melancon; Peter F. Allgeier, Acting U.S. Trade Representative; and public witnesses.

Joint Meetings

VETERANS PROGRAMS

Joint Hearing: Senate Committee on Veterans' Affairs concluded joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of certain veterans organizations, after receiving testimony from LeRoy Riddell, NCC (SW), USN (Ret.), Retired Enlisted Association, Penny Splinter, Gold Star Wives, George R. Kaye, and Joseph L. Barnes, both of the Fleet Reserve Association, and Chief Master Sergeant James E. Lokovic, USAF (Ret.), Air Force Sergeants Association, all of Washington, D.C.

BUSINESS MEETING

Joint Committee on Printing: Committee met and designated Senator Lott as Chairman and Representative Ney as Vice-Chairman, and adopted its rules of procedure for the 109th Congress.

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Friday, April 22, 2005

Senate

Chamber Action

Routine Proceedings, pages *7534–53*

Measures Introduced: Three bills were introduced, as follows: S. 890–892. **Page 7546**

Transportation Equity Act: Senate began consideration of the motion to proceed to consideration of H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs. **Page 7552**

A motion was entered to close further debate on the motion to proceed to consideration of the bill and, notwithstanding the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Friday, April 22, 2005, a vote on cloture will occur at 11:45 a.m., on Tuesday, April 26, 2005. **Page 7553**

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to consideration of the bill at 2 p.m., on Monday, April 25, 2005. **Page 7553**

Measures Placed on Calendar: **Page 7546**

Additional Cosponsors: **Page 7546**

Statements on Introduced Bills/Resolutions: **Page 7546**

Additional Statements: **Page 7545**

Authority for Committees to Meet: **Page 7552**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 11:05 a.m., until 2 p.m., on Monday, April 25, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 7553.)

Committee Meetings

DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities concluded open and closed hearings to examine United States Special Operations Command in review of the Defense Authorization Request for Fiscal Year 2006, after receiving testimony from Thomas W. O'Connell, Assistant Secretary of Defense for Special Operations and Low Intensity Conflict; and General Bryan D. Brown, USA, Commander, U.S. Special Operations Command.

House of Representatives

Chamber Action

The House was not in session today. It will meet at 12 noon on Monday, April 25 in pro forma session and at 12:30 p.m. on Tuesday, April 26 for morning hour debate.

Committee Meetings

THE NATIONAL PARKS: WILL THEY SURVIVE FOR FUTURE GENERATIONS?

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing entitled "The National Parks: Will They Survive for Future Generations?" Testimony was heard from Steve Martin, Deputy Director, National Park Service, Department of the Interior; Vin Cipolla, President, National Park Foundation; and public witnesses.

Monday, April 25, 2005

Senate

Chamber Action

***Routine Proceedings, pages** 7574–7641*

Measures Introduced: Seven bills and four resolutions were introduced, as follows: S. 893–899, and S. Res. 119–122. **Page 7600**

Measures Reported:

S. 629, to amend chapter 97 of title 18, United States Code, relating to protecting against attacks on railroads and other mass transportation systems, with amendments. **Page 7600**

Measures Passed:

National Kindergarten Recognition Day: Senate agreed to S. Res. 119, designating April 21, 2005, as "National Kindergarten Recognition Day". **Page 7574**

National Small Business Week: Senate agreed to S. Res. 120, honoring small businesses during the Small Business Administration's National Small Business Week, the week beginning April 24, 2005. **Page 7575**

Anabolic Steroid Control Act Technical Correction: Senate passed S. 893, to make technical corrections in the Anabolic Steroid Control Act of 2004. **Page 7577**

Transportation Equity Act: Senate resumed consideration of the motion to proceed to consideration of H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs. **Page 7577**

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to consideration of the bill at approximately 10:45 a.m., on Tuesday, April 26, 2005, with a vote on the motion to invoke cloture thereon to occur at 11:45 a.m. **Page 7632**

Nominations Received: Senate received the following nominations:

James H. Bilbray, of Nevada, to be a Member of the Defense Base Closure and Realignment Commission, to which position he was appointed during the last recess of the Senate, to which position he was appointed during the last recess of the Senate.

Philip Coyle, of California, to be a Member of the Defense Base Closure and Realignment Commission, to which position he was appointed during the last recess of the Senate, to which position he was appointed during the last recess of the Senate.

Admiral Harold W. Gehman, Jr., United States Navy, Retired, of Virginia, to be a Member of the Defense Base Closure and Realignment Commission, to which position he was appointed during the last recess of the Senate, to which position he was appointed during the last recess of the Senate.

James V. Hansen, of Utah, to be a Member of the Defense Base Closure and Realignment Commission, to which position he was appointed during the last recess of the Senate, to which position he was appointed during the last recess of the Senate.

General James T. Hill, United States Army, Retired, of Florida, to be a Member of the Defense Base Closure and Realignment Commission, to which position he was appointed during the last recess of the Senate, to which position he was appointed during the last recess of the Senate.

General Lloyd W. Newton, United States Air Force, Retired, of Connecticut, to be a Member of the Defense Base Closure and Realignment Commission, to which position he was appointed during the last recess of the Senate, to which position he was appointed during the last recess of the Senate.

Anthony Joseph Principi, of California, to be a Member of the Defense Base Closure and Realignment Commission, to which position he was appointed during the last recess of the Senate, to which position he was appointed during the last recess of the Senate.

Samuel Knox Skinner, of Illinois, to be a Member of the Defense Base Closure and Realignment Commission, to which position he was appointed during the last recess of the Senate, to which position he was appointed during the last recess of the Senate.

Brigadier General Sue Ellen Turner, United States Air Force, Retired, of Texas, to be a Member of the Defense Base Closure and Realignment Commission, to which position she was appointed during the last recess of the Senate, to which position she was appointed during the last recess of the Senate.

Brian D. Montgomery, of Texas, to be an Assistant Secretary of Housing and Urban Development.

Charles E. Johnson, of Utah, to be an Assistant Secretary of Health and Human Services.

Robert B. Holland III, of Texas, to be United States Executive Director of the International Bank for Reconstruction and Development for a term of two years.

Roger Dwayne Pierce, of Virginia, to be Ambassador to Republic of Cape Verde.

26 Army nominations in the rank of general.

1 Marine Corps nomination in the rank of general.

1 Navy nomination in the rank of admiral.

A routine list in the National Oceanic and Atmospheric Administration. **Page 7640**

Enrolled Bills Presented: **Page 7598**

Executive Communications: **Page 7598**

Additional Cosponsors: **Page 7600**

Statements on Introduced Bills/Resolutions: **Page 7601**

Additional Statements: **Page 7596**

Notices of Hearings/Meetings: **Page 7611**

Authority for Committees to Meet: **Page 7611**

Privilege of the Floor: **Page 7611**

Text of H.R. 1268 as Previously Passed: **Page 7611**

Adjournment: Senate convened at 2 p.m., and adjourned at 6:20 p.m., until 9:45 a.m., on Tuesday, April 26, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 7632.)

Committee Meetings

PATENT REFORM

Committee on the Judiciary: Subcommittee on Intellectual Property concluded a hearing to examine the current and future U.S. patent system and perspectives on patent reform, after receiving testimony from Jon W. Dudas, Under Secretary of Commerce for Intellectual Property, and Director, United States Patent and Trademark Office; Richard C. Levin, Yale University, New Haven, Connecticut, and Mark B. Myers, University of Pennsylvania Wharton Business School, Philadelphia, both on behalf of the National Research Council Committee on Intellectual Property Rights in the Knowledge-Based Economy; William Parker, Diffraction, Ltd., Waitsfield, Vermont; Dean Kamen, DEKA Research and Development Corporation, Manchester, New Hampshire; David Simon, Intel Corporation, Santa Clara, California, on behalf of the Business Software Alliance; Robert A. Armitage, Eli Lilly and Company, Indianapolis, Indiana; Joel L. Poppen, Micron Technology, Inc., Boise, Idaho; and Michael K. Kirk, American Intellectual Property Law Association, Arlington, Virginia.

House of Representatives

Chamber Action

Measures Introduced: 1 public bill, H.R. 1812, was introduced. **Page 7573**

Additional Cosponsors: **Page 7573**

Reports Filed: No reports were filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Renzi to act as Speaker pro tempore for today. **Page 7573**

Senate Message: Message received from the Senate today appears on page 7573.

Senate Referral: S. 643 was held at the desk.

Quorum Calls—Votes: There were no votes or quorum calls.

Adjournment: The House met at 12 noon and adjourned at 12:04 p.m.

Committee Meetings

OF INQUIRY RESOLUTION—SOCIAL SECURITY TRUST

Committee on Ways and Means: Ordered reported adversely H. Res. 170, of inquiry requesting the President to transmit certain information to the House of Representatives respecting a claim made by the President on February 6, 2005, at a meeting in Portsmouth, New Hampshire, that there is not a Social Security trust.

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Tuesday, April 26, 2005

Senate

Chamber Action

Routine Proceedings, pages 7646–7774

Measures Introduced: Eleven bills and five resolutions were introduced, as follows: S. 900–910, S.J. Res. 17, S. Res. 123–125, and S. Con. Res. 28. **Page 7679**

Measures Reported:

S. 728, to provide for the consideration and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, with amendments. (S. Rept. No. 109–61)

S. 907, to amend chapter 53 of title 49, United States Code, to improve the Nation's public transportation and for other purposes. **Page 7679**

Measures Passed:

World Intellectual Property Day: Senate agreed to S. Con. Res. 28, expressing the sense of the Congress on World Intellectual Property Day regarding the importance of protecting intellectual property rights globally. **Page 7771**

Commending University of Minnesota Golden Gophers Women's Ice Hockey Team: Senate agreed to S. Res. 125, commending the University of Minnesota Golden Gophers women's ice hockey team for winning the 2004–2005 National Collegiate Athletic Association Division I Women's Hockey Championship. **Page 7774**

Transportation Equity Act: Senate agreed to the motion to proceed to consideration of H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and then began consideration of the bill, taking action on the following amendments proposed thereto: **Pages 7650, 7657, 7658**

Adopted:

Thune Amendment No. 572 (to Amendment No. 567), to modify the section relating to National Scenic Byways to provide for the designation of Indian scenic byways. **Page 7665**

Pending:

Inhofe Amendment No. 567, to provide a complete substitute. **Page 7658**

During consideration of this measure today, Senate also took the following action:

By 94 yeas to 6 nays (Vote No. 110), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the motion to proceed to consideration of the bill. **Page 7656**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 11:30 a.m., on Wednesday, April 27, 2005. **Page 7774**

Messages From the House: **Page 7678**

Executive Communications: **Page 7678**

Petitions and Memorials: **Page 7679**

Executive Reports of Committees: **Page 7679**

Additional Cosponsors: **Page 7680**

Statements on Introduced Bills/Resolutions: **Page 7681**

Additional Statements: **Page 7677**

Amendments Submitted: **Page 7687**

Authority for Committees to Meet: **Page 7770**

Privilege of the Floor: **Page 7770**

Record Votes: One record vote was taken today. (Total—110) **Page 7656**

Adjournment: Senate convened at 9:45 a.m., and adjourned at 7:34 p.m., until 9:30 a.m., on Wednesday, April 27, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 7774.)

Committee Meetings

APPROPRIATIONS: DEPARTMENT OF THE TREASURY

Committee on Appropriations: Subcommittee on Transportation, Treasury, The Judiciary, Housing and Urban Development, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the Department of the Treasury, after receiving testimony from John Snow, Secretary of the Treasury.

MONEY SERVICES BUSINESSES

Committee on Banking, Housing, and Urban Affairs: Committee held a hearing to review money services businesses under Bank Secrecy Act and USA PATRIOT Act regulations, focusing on federal and state efforts in the anti-money laundering area, receiving testimony from Kevin M. Brown, Commissioner, Small Business/Self-Employed Division, Internal Revenue Service, William J. Fox, Director, Financial Crimes Enforcement Network, and Julie

L. Williams, Acting Comptroller of the Currency, all of the Department of the Treasury; Diana L. Taylor, New York State Banking Department, Albany; John J. Byrne, American Bankers Association, Washington, D.C.; Gerald Goldman, Financial Service Centers of America, Hackensack, New Jersey; Dan O'Malley, MoneyGram International, Inc., Minneapolis, Minnesota; and David Landsman, National Money Transmitters Association, Inc., Great Neck, New York.

Hearing recessed subject to the call.

NOMINATIONS:

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the nominations of Maria Cino, of Virginia, to be Deputy Secretary of Transportation, who was introduced by Senators Allen and Clinton, and Phyllis F. Scheinberg, of Virginia, to be an Assistant Secretary of Transportation, who was introduced by Senator Allen, after the nominees testified and answered questions in their own behalf.

TRANSPORTATION SECURITY ADMINISTRATION: BUDGET

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2006 for the Transportation Security Administration and related programs, after receiving testimony from Charles Barclay, American Association of Airport Executives, Alexandria, Virginia, on behalf of sundry organizations; and James C. May, Air Transport Association, Washington, D.C.

NUCLEAR POWER 2010 PROGRAM

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the status of the Department of Energy's Nuclear Power 2010 program, which is a joint government/industry cost-shared effort to identify sites for new nuclear power plants, develop advanced nuclear plant technologies, and demonstrate new regulatory processes leading to a private sector decision by 2005 to order new nuclear power plants for deployment in the United States in the 2010 timeframe, after receiving testimony from Clay Sell, Deputy Secretary of Energy; Nils J. Diaz, Chairman, Nuclear Regulatory Commission; and Michael J. Wallace, Constellation Generation Group, Baltimore, Maryland.

WILDFIRE MANAGEMENT

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests concluded a hearing to examine the preparedness of the Department of Agriculture and the Interior for the 2005 wildfire season, including the agencies' assessment of the risk of fires by region, the status of and contracting for aerial fire suppression assets, and other information needed to better understand the agencies ability to deal with the upcoming fire season, after receiving testimony from Mark Rey, Under Secretary of Agriculture for Natural Resources and Environment; Lynn Scarlett, Assistant Secretary of the Interior for Policy, Management, and Budget; Robin M. Nazzaro, Director, Natural Resources and Environment, Government Accountability Office; and James Caswell, Idaho Office of Species Conservation, Boise, and Kirk Rowdabaugh, Arizona State Forester, Phoenix, both on behalf of the Western Governors' Association.

SOCIAL SECURITY REFORM

Committee on Finance: Committee held a hearing to examine Social Security proposals to achieve sustainable solvency regarding personal accounts, receiving testimony from Peter Ferrara, Institute for Policy Innovation, and USA Next, Michael Tanner, Cato Institute Project on Social Security Change, Peter R. Orszag, The Brookings Institution, Joan Entmacher, National Women's Law Center, all of Washington, D.C.; and Robert C. Pozen, MFS Investment Management, Boston, Massachusetts.

Hearing recessed subject to the call.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the nomination of Robert J. Portman, of Ohio, to be United States Trade Representative, with the rank of Ambassador.

MILLENNIUM CHALLENGE CORPORATION

Committee on Foreign Relations: Committee concluded a hearing to examine the Millennium Challenge Corporation's global impact, focusing on assistance to developing countries that uphold political freedoms, fight corruption, maintain the rule of law, and pursue sound economic policies, after receiving testimony from Paul V. Applegarth, Chief Executive Officer, Millennium Challenge Corporation; and David B. Gootnick, Director, International Affairs and Trade, General Accountability Office.

PENSION FUND REFORM

Committee on Health, Education, Labor, and Pensions: Subcommittee on Retirement Security and Aging concluded a hearing to examine proposals to reform the pension funding rules and premiums payable to the Pension Benefit Guarantee Corporation, after receiving testimony from Bradley Belt, Executive Director, Pension Benefit Guarantee Corporation; Ian P. MacFarlane, Medley Global Advisors, New York, New York; Sallie B. Bailey, The Timken Company, Canton, Ohio, on behalf of the National Association of Manufacturers; and Ron Gebhardtsbauer, American Academy of Actuaries, and Alan Reuther, United Auto Workers, both of Washington, D.C.

FAIR ACT

Committee on the Judiciary: Committee concluded a hearing to examine S. 852, to create a fair and efficient system to resolve claims of victims for bodily injury caused by asbestos exposure, after receiving testimony from Judge Edward Becker, Third Circuit Court of Appeals, Philadelphia, Pennsylvania; Craig A. Berrington, American Insurance Association, John M. Engler, National Association of Manufacturers, on behalf of the Asbestos Alliance, and Margaret Seminario, AFL–CIO, all of Washington, D.C.; James D. Crapo, National Jewish Medical and Research Center and the University of Colorado Health Sciences Center, Denver; Eric D. Green, Boston University School of Law, Boston, Massachusetts; Hershel W. Gober, Military Order of the Purple Heart, McLean, Virginia; Philip J. Landrigan, The Mount Sinai School of Medicine, New York, New York; Carol Morgan, National Service Industries, Inc., Atlanta, Georgia, on behalf of the Coalition for Asbestos Reform; Mark A. Peterson, Legal Analysis Systems, Inc., Thousand Oaks, California; Francine Rabinovitz, Hamilton, Rabinovitz, and Alschuler, Carmel, California; and Alan Reuther, United Automobile, Aerospace, and Agricultural Implement Workers of America, Lebanon, Tennessee.

BUSINESS MEETING

Committee on Veterans' Affairs: Committee ordered favorably reported the nomination of Jonathan Brian Perlin, of Maryland, to be Under Secretary of Veterans Affairs for Health.

BUSINESS MEETING

Select Committee on Intelligence: Committee met in closed session to consider pending intelligence matters.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Measures Introduced: 54 public bills, H.R. 1813–1866; 1 private bill, H.R. 1867; and 6 resolutions, H.J. Res. 44 and H. Res. 232–234, 237–238, were introduced. **Page 7849**

Additional Cosponsors: **Page 7851**

Reports Filed: Reports were filed today as follows:

H. Res. 210, supporting the goals of World Intellectual Property Day, and recognizing the importance of intellectual property in the United States and worldwide (H. Rept. 109–53);

H. Res. 224, providing for the expenses of certain committees of the House of Representatives in the One Hundred Ninth Congress, amended (H. Rept. 109–54);

H. Res. 235, providing for consideration of H. Res. 22, expressing the sense of the House of Representatives that American small businesses are entitled to a Small Business Bill of Rights (H. Rept. 109–55); and

H. Res. 236, providing for consideration of H.R. 748, to amend title 18, United States Code, to prevent the transportation of minors in circumvention of certain laws relating to abortion and for other purposes (H. Rept. 109–56). **Page 7849**

Speaker: Read a letter from the Speaker wherein he appointed Representative Price of Georgia to act as Speaker pro tempore for today. **Page 7775**

Recess: The House recessed at 12:58 p.m. and reconvened at 2 p.m. **Page 7778**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Reauthorizing the Steel and Aluminum Energy Conservation and Technology Competitiveness Act of 1988: H.R. 1158, amended, to reauthorize the Steel and Aluminum Energy Conservation and Technology Competitiveness Act of 1988; **Page 7779**

High-Performance Computing Revitalization Act of 2005: H.R. 28, amended, to amend the High-Performance Computing Act of 1991; **Page 7781**

Recognizing the significance of African American women in the U.S. scientific community: H. Con. Res. 96, amended, recognizing the significance of African American women in the United States scientific community; **Page 7786**

Recognizing the second century of Big Brothers Big Sisters: H. Con. Res. 41, recognizing the second century of Big Brothers Big Sisters, and supporting the mission and goals of that organization; **Page 7787**

Mayor Tony Armstrong Memorial Post Office Designation Act: H.R. 1236, to designate the facility of the United States Postal Service located at 750 4th Street in Sparks, Nevada, as the "Mayor Tony Armstrong Memorial Post Office"; **Page 7789**

Ed Eilert Post Office Building Designation Act: H.R. 1524, to designate the facility of the United States Postal Service located at 12433 Antioch Road in Overland Park, Kansas, as the "Ed Eilert Post Office Building"; **Page 7790**

Honoring the contributions of American Indians to economic innovation and society: H. Res. 227, recognizing and honoring the contributions of American Indians to economic innovation and society generally; and **Page 7792**

Expanded Access to Financial Services Act of 2005: H.R. 749, amended, to amend the Federal Credit Union Act to provide expanded access for persons in the field of membership of a Federal credit union to money order, check cashing, and money transfer services. **Page 7799**

Suspensions—Proceedings Postponed: The House completed debate on the following measures under suspension of the rules. Further consideration will resume tomorrow, April 27.

Presidential $1 Coin Act of 2005: H.R. 902, amended, to improve circulation of the $1 coin, create a new bullion coin; and **Page 7794**

Sense of Congress regarding the two-year anniversary of the human rights crackdown in Cuba: H. Con. Res. 81, expressing the sense of Congress regarding the two-year anniversary of the human rights crackdown in Cuba. **Page 7801**

Emergency Supplemental Wartime Appropriations Act—Motion to go to Conference: The House disagreed to the Senate amendments to H.R. 1268, making Emergency Supplemental Appropriations for Defense, the Global War on Terror, and Tsunami Relief, for the fiscal year ending September 30, 2005, and agreed to a conference. **Pages 7806, 7818**

Agreed to the Obey motion to instruct conferees by a yea-and-nay vote of 417 yeas to 4 nays, Roll No. 133. **Pages 7806, 7818**

Appointed as conferees: Representatives Lewis (CA), Young (FL), Regula, Rogers (KY), Wolf, Kolbe, Walsh, Taylor (NC), Hobson, Bonilla, Knollenberg, Obey, Murtha, Dicks, Sabo, Mollohan, Visclosky, Lowey, and Edwards. **Page 7819**

Recess: The House recessed at 4:57 p.m. and reconvened at 5:37 p.m. **Page 7808**

Budget Resolution for Fiscal Year 2006—Motion to go to Conference: The House disagreed to the Senate amendments to H. Con. Res. 95, establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010, and agreed to a conference. **Pages 7808, 7819**

Agreed to the Herseth motion to instruct conferees by a yea-and-nay vote of 348 yeas to 72 nays, Roll No. 134. **Pages 7808, 7819**

Appointed as conferees: Representatives Nussle, Ryun (KS), and Spratt. **Page 7819**

Ticket to Work and Work Incentives Advisory Panel—Appointment: The Chair announced the Speaker's appointment of Mr. J. Russell Doumas of Columbia, Missouri to the Ticket to Work and Work Incentives Advisory Panel for a four-year term. **Page 7819**

Permitting Official Photographs of the House in session: The House agreed to H. Res. 232, permitting official photographs of the House of Representatives to be taken while the House is in actual session on a date designated by the Speaker. **Page 7819**

United States Capitol Preservation Commission—Appointment: The Chair announced the Speaker's appointment of the following Members to the United States Capitol Preservation Commission: Representatives Lewis (CA), and Shuster. **Page 7836**

United States Capitol Preservation Commission—Appointment: Read a letter from Minority Leader Pelosi wherein she appointed Representative Kaptur to the United States Capitol Preservation Commission. **Page 7836**

Senate Message: Message received from the Senate today appears on page 7778.

Senate Referral: S. 893 was referred to the Committees on Energy, Commerce, and the Judiciary. **Page 7849**

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings today and appear on pages 7818–19. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 10:44 p.m.

Committee Meetings

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HUD, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and Independent Agencies held a hearing on the U.S. Postal Service and on the National Archives and Records Administration. Testimony was heard from John E. Potter, Postmaster General, U.S. Postal Service; and Allen Weinstein, Archivist, National Archives and Records Administration.

SCIENCE, THE DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Science, The Departments of State, Justice, and Commerce, and Related Agencies held a hearing on the FCC. Testimony was heard from Kevin J. Martin, Chairman, FCC.

UNDERACHIEVING SCHOOLS

Committee on Education and the Workforce: Held a hearing on No Child Left Behind: Supplemental Tutoring for Children in Underachieving Schools. Testimony was heard from Donn Nola-Ganey, Assistant Superintendent, Office of School and Community Support, Department of Education, State of Louisiana; Beth Swanson, Director, Office of After School and Community Programs, Public Schools, Chicago, Illinois; and public witnesses.

ILLEGAL DRUG USE PREVENTION

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing entitled "Drug Prevention Programs and the Fiscal Year 2006 Drug Control Budget: Is the Federal Government Neglecting Illegal Drug Use Prevention?" Testimony was heard from Charles Curie, Administrator, Substance Abuse and Mental Health Services Administration, Department of Health and Human Services; and public witnesses.

COMMUNITY DEVELOPMENT BLOCK GRANT FORMULA

Committee on Government Reform: Subcommittee on Federalism and the Census held a hearing entitled "The 70's Look: Is the Decades-Old Community Development Block Grant Formula Ready for an Extreme Makeover?" Testimony was heard from Roy A. Bernardi, Deputy Secretary, Department of Housing and Urban Development; and the following officials of the GAO: Paul Posner, Director, Federal Budget and Intergovernmental Relations; and Jerry C. Fastrup, Assistant Director, Applied Research and Methods; and a public witness.

HOMELAND SECURITY INFORMATION SHARING AND ENHANCEMENT ACT OF 2005

Committee on Homeland Security: Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment approved for full Committee action the Homeland Security Information Sharing and Enhancement Act of 2005.

MALARIA AND TB: IMPLEMENTING PROVEN TREATMENT AND ERADICATION METHODS

Committee on International Relations: Subcommittee on Africa, Global Human Rights and International Operations held a hearing on Malaria and TB: Implementing Proven Treatment and Eradication Methods. Testimony was heard from Mark Dybul, M.D., Assistant U.S. Global AIDS Coordinator and Chief Medical Officer; Department of State; Michael Miller, Deputy Assistant Administrator, Bureau for Global Health, U.S. AID; and public witnesses.

VE DAY ANNIVERSARY RESOLUTIONS

Committee on International Relations: Subcommittee on Europe and Emerging Threats approved for full Committee action the following resolutions: H. Res. 195, amended, Recognizing the 60th anniversary of Victory in Europe (VE) Day and the Liberation of Western Bohemia; and H. Res. 233, Recognizing the 60th anniversary of Victory (V-E) Day during World War II.

OVERSIGHT—USA PATRIOT ACT IMPLEMENTATION

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held an oversight hearing on the Implementation of the USA PATRIOT Act: Sections of the Act that Address Foreign Intelligence Surveillance Act (FISA) (Part 1)—Section 204: Clarification of Intelligence Exceptions from Limitations on Interception and Disclosure of Wire, Oral, and Electronic Communications; Section 207: Duration of FISA Surveillance of Non-United States Persons who are Agents of a Foreign Power; Section 214: Pen Register and Trap and Trace Authority Under FISA: Section 225: Immunity for Compliance with FISA Wiretap; and Lone Wolf. Testimony was heard from May Beth Buchanan, U.S. Attorney, Western District of Pennsylvania; James A. Baker, Counsel, Intelligence Policy, Department of Justice; and a public witness.

SECURE ACCESS TO JUSTICE AND COURT PROTECTION ACT OF 2005

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held a hearing on H.R. 1751, Secure Access to Justice and Court Protection Act of 2005. Testimony was heard from Judge Jane R. Roth, Chairwoman of Judicial Conference Committee on Security and Facilities; Judge Cynthia Kent, 114th Judicial District Court of Texas; and the following officials of the Eastern District of Virginia: Paul J. McNulty, U.S. Attorney; and John F. Clark, U.S. Marshal.

NATIONAL FISH AND WILDLIFE FOUNDATION REAUTHORIZATION ACT OF 2005

Committee on Resources: Subcommittee on Fisheries and Oceans held a hearing on H.R. 1428, National Fish and Wildlife Foundation Reauthorization Act of 2005. Testimony was heard from Timothy R.E. Keeney, Deputy Assistant Secretary, Oceans and Atmosphere, NOAA, Department of Commerce; Matthew J. Hogan, Acting Director, U.S. Fish and Wildlife Service, Department of the Interior; and public witnesses.

CHILD INTERSTATE ABORTION NOTIFICATION ACT

Committee on Rules: Granted, by a vote of 9 to 4, a structured rule providing one hour of general debate on H.R. 748, Child Interstate Abortion Notification Act, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as an original bill for the purpose of amendment. The rule makes in order only those amendments printed in the rules Committee report accompanying the resolution. The rule provides that the amendments printed in the report may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Sensenbrenner and Representatives Ros-Lehtinen, Nadler, Scott of Virginia, Jackson-Lee of Texas, Waters, and Harman.

SENSE OF THE HOUSE RESOLUTION—SMALL BUSINESS BILL OF RIGHTS

Committee on Rules: Granted, by voice vote, a closed rule providing one hour of debate on H. Res. 22, expressing the sense of the House of Representatives that American small business are entitled to a Small Business bill of Rights, in the House equally divided and controlled by the chairman and ranking minority member of the Committee on Small Business. The rule waives all points of order against consideration of the resolution. The rule provides that the amendments to the resolution and the preamble recommended by the Committee on Small Business now printed in the resolution are considered as adopted. The rule provides one motion to recommit, which may not contain instructions. Testimony was heard from Representatives Keller, Barrow, Bean, and McGovern.

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Wednesday, April 27, 2005

Senate

Chamber Action

Routine Proceedings, pages 7873–7969

Measures Introduced: Twenty-two bills and two resolutions were introduced, as follows: S. 911–932, and S. Res. 126–127. **Page 7921**

Measures Passed:

Vermont Dairy Festival: Committee on Agriculture, Nutrition, and Forestry was discharged from further consideration of S. Res. 118, recognizing June 2 through June 5, 2005, as the "Vermont Dairy Festival," in honor of Harold Howrigan for his service to his community and the Vermont dairy industry, and the bill was then passed. **Page 7956**

Honoring Fred T. Korematsu: Senate agreed to S. Res. 126, honoring Fred T. Korematsu for his loyalty and patriotism to the United States and expressing condolences to his family, friends, and supporters on his death. **Page 7957**

Congratulating Charter Schools: Senate agreed to S. Res. 127, congratulating charter schools and their students, parents, teachers, and administrators across the United States for their ongoing contributions to education. **Page 7959**

Transportation Equity Act: Senate continued consideration of H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and then began consideration of the bill, taking action on the following amendments proposed thereto: **Pages 7892, 7903**

Adopted:

Talent Amendment No. 582 (to Amendment No. 567), to direct the Secretary of Transportation to conduct a program to promote the safe and efficient operation of first responder vehicles. **Pages 7899, 7903**

Inhofe (for Shelby/Sarbanes) Amendment No. 573 (to Amendment No. 567), to amend chapter 53 of title 49, United States Code, to improve the Nation's public transportation. **Page 7907**

Pending:

Inhofe Amendment No. 567, to provide a complete substitute. **Pages 7892, 7903**

Bayh Amendment No. 568 (to Amendment No. 567), to amend title VII of the Tariff Act of 1930 to provide that the provisions relating to countervailing duties apply to nonmarket economy countries. **Pages 7896, 7903**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m., on Thursday, April 28, 2005. **Page 7960**

Nomination: Senate began consideration of the nomination of Robert J. Portman, of Ohio, to be United States Trade Representative, with the rank of Ambassador. **Page 7956**

A motion was entered to close further debate on the nomination and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Friday, April 29, 2005. **Page 7956**

Nomination: Senate began consideration of the nomination of Stephen L. Johnson, of Maryland, to be Administrator of the Environmental Protection Agency. **Page 7956**

A motion was entered to close further debate on the nomination and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Friday, April 29, 2005. **Page 7956**

Nominations Confirmed: Senate confirmed the following nominations:

By unanimous vote of 98 yeas (Vote No. 111), J. Michael Seabright, of Hawaii, to be United States District Judge for the District of Hawaii. **Pages 7900, 7968**

Luis Luna, of Maryland, to be an Assistant Administrator of the Environmental Protection Agency.

Major General Don T. Riley, United States Army, to be a Member and President of the Mississippi River Commission.

Howard J. Krongard, of New Jersey, to be Inspector General, Department of State.

Brigadier General William T. Grisoli, United States Army, to be a Member of the Mississippi River Commission.

Charles F. Conner, of Indiana, to be Deputy Secretary of Agriculture.

Routine lists in the Coast Guard, National Oceanic and Atmospheric Administration. **Pages 7960, 7968**

Nominations Received: Senate received the following nominations:

Ben S. Bernanke, of New Jersey, to be a Member of the Council of Economic Advisers.

Shara L. Aranoff, of Maryland, to be a Member of the United States International Trade Commission for a term expiring December 16, 2012.

David Horton Wilkins, of South Carolina, to be Ambassador to Canada.

Dennis P. Walsh, of Maryland, to be a Member of the National Labor Relations Board for the term of five years expiring December 16, 2009.

11 Navy nominations in the rank of admiral. **Page 7968**

Messages From the House: **Page 7918**

Measures Referred: **Page 7919**

Executive Communications: **Page 7919**

Executive Reports of Committees: **Page 7921**

Additional Cosponsors: **Page 7922**

Statements on Introduced Bills/Resolutions: **Page 7923**

Additional Statements: **Page 7916**

Amendments Submitted: **Page 7954**

Notices of Hearings/Meetings: **Page 7955**

Authority for Committees to Meet: **Page 7955**

Record Votes: One record vote was taken today. (Total—111) **Page 7902**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 6:59 p.m., until 9:30 a.m., on Thursday, April 28, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 7960.)

Committee Meetings

NOMINATION

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine the nominations of Thomas C. Dorr, of Iowa, to be Under Secretary of Agriculture for Rural Development, and to be a Member of the Board of Directors of the Commodity Credit Corporation, after the nominee, who was introduced by Senator Grassley, testified and answered questions in his own behalf.

APPROPRIATIONS: DEPARTMENT OF DEFENSE

Committee on Appropriations: Subcommittee on Defense concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the Department of Defense, after receiving testimony from Donald H. Rumsfeld, Secretary, Tina Jonas, Under Secretary (Comptroller), and General Richard Myers, Chairman of the U.S. Joint Chiefs of Staff, all of the Department of Defense.

CONSTELLATION ARCHITECTURE

Committee on Appropriations: Subcommittee on Defense concluded a closed hearing to examine the Constellation Architecture Panel, after receiving testimony from General James E. Cartwright, Commander, U.S. Strategic Command; Charlie Allen, Deputy Director of Intelligence for Collection; Dennis Fitzgerald, Acting Director, National Reconnaissance Office; Leo Hazelwood, Constellation Architecture Panel; and Tom Boehling, Deputy Under Secretary of Defense for Intelligence.

APPROPRIATIONS: SAA/CAPITOL POLICE BOARD/CAPITOL GUIDE SERVE

Committee on Appropriations: Subcommittee on Legislative Branch concluded a hearing to examine proposed budget estimates for fiscal year 2006 for activities of the Sergeant at Arms, the U.S. Capitol Police Board, and the Capitol Guide Service, after receiving testimony from William H. Pickle, Sergeant at Arms and Doorkeeper of the Senate, Wilson Livingood, Sergeant at Arms of the House of Representatives, and Alan Hantman, Architect of the Capitol, all on behalf of the Capitol Police Board and Capitol Guide Board; and Terrance Gainer, Chief, U.S. Capitol Police.

NOMINATIONS

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the nominations of Maria Cino, of Virginia, to be Deputy Secretary of Transportation, Phyllis F. Scheinberg, of Virginia, to be an Assistant Secretary of Transportation, Joseph H. Boardman, of New York, to be Administrator of the Federal Railroad Administration Department of Transportation, Nancy Ann Nord, of the District of Columbia, to be a Commissioner of the Consumer Product Safety Commission, and William Cobey, of North Carolina, to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported the following bills:

S. 655, to amend the Public Health Service Act with respect to the National Foundation for the Centers for Disease Control and Prevention, with an amendment in the nature of a substitute; and

S. 898, to amend the Public Health Service Act to authorize a demonstration grant program to provide patient navigator services to reduce barriers and improve health care outcomes, with an amendment in the nature of a substitute.

CHEMICAL FACILITIES SAFETY

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the vulnerability of the United States to a chemical attack, focusing on federal and industry efforts to address security issues at chemical facilities as targets of terrorism, after receiving testimony from Senator Corzine; Carolyn W. Merritt, Chairman and Chief Executive Officer, U.S. Chemical Safety and Hazard Investigation Board; John B. Stephenson, Director, Natural Resources and Environment, Government Accountability Office; Richard A. Falkenrath, The Brookings Institution, Washington, D.C.; and Stephen E. Flynn, Council on Foreign Relations, New York, New York.

INDIAN GAMING REGULATION

Committee on Indian Affairs: Committee held an oversight hearing to examine the state of Indian gaming regulation, focusing on concerns of Congress expressed in the Indian Gaming Regulatory Act regarding the operation and regulation of gaming on Indian lands, receiving testimony from Philip N. Hogen, Chairman, National Indian Gaming Commission; Earl E. Devaney, Inspector General, Department of the Interior; Thomas B. Heffelfinger, U.S. Attorney for the District of Minnesota, Department of Justice; Norman DesRosiers, Viejas Tribal Government Gaming Commission, Alpine, California; Charles Colombe, Rosebud Sioux Tribe, Rosebud, South Dakota, and Mark Van Norman, Washington, D.C., both on behalf of the National Indian Gaming Association; Kevin K. Washburn, University of Minnesota Law School, Minneapolis; and Steven A. Light and Kathryn R.L. Rand, School of Law, both of the University of North Dakota, Grand Forks.

Hearings recessed subject to the call.

NOMINATION

Committee on the Judiciary: Committee concluded a hearing to examine the nomination of Paul D. Clement, of Virginia, to be Solicitor General of the United States, Department of Justice, after the nominee, who was introduced by Senator Feingold, testified and answered questions in his own behalf.

BUSINESS MEETING

Committee on Rules and Administration: Committee ordered favorably reported an original bill, to amend the Federal Election Campaign Act of 1971 to clarify when organizations described in section 527 of the Internal Revenue Code of 1986 must register as political committees, in lieu of S. 271.

PATRIOT ACT

Select Committee on Intelligence: Committee concluded a hearing to examine the history and application of the USA PATRIOT Act (Public Law 107–56) and the importance of the Foreign Intelligence Surveillance Act (Public Law 95–511), focusing on their role in improving the ability of the intelligence and law enforcement communities to fight the global war on terrorism, after receiving testimony from Alberto R. Gonzales, Attorney General of the United States, and Robert S. Mueller III, Director, Federal Bureau of Investigation, both of the Department of Justice; and Porter J. Goss, Director, Central Intelligence Agency.

REDEFINING RETIREMENT

Special Committee on Aging: Committee concluded a hearing to examine redefining retirement in the 21st century workplace, focusing on demographic and labor force trends and the economic and fiscal need to increase labor force participation among older workers, after receiving testimony from Barbara D. Bovbjerg, Director, Education, Workforce, and Income Security, Government Accountability Office; Frank Robinson, Washington Nationals, and Douglas Holbrook, AARP Board of Directors, both of Washington, D.C.; Kathlyn Peterson, SSM Health Care, Madison, Wisconsin; Laurie Barr, Oregon Health and Science University, Portland; and Valerie Paganelli, Watson Wyatt Worldwide, Seattle, Washington.

House of Representatives

Chamber Action

Measures Introduced: 79 public bills, H.R. 1868–1946; 3 private bills, H.R. 1947–1949; and 10 resolutions, H.J. Res. 45; H. Con. Res. 139–140, and H. Res. 239–240, 243- 247, were introduced. **Page 8066**

Additional Cosponsors: **Page 8068**

Reports Filed: Reports were filed today as follows:

H. Res. 239, dismissing the election contest relating to the office of Representative from the Sixth Congressional District of Tennessee (H. Rept. 109–57);

H. Res. 170, a resolution of inquiry requesting the President to transmit certain information to the House of Representatives respecting a claim made by the President on February 16, 2005, at a meeting Portsmouth, New Hampshire, that there is not a Social Security trust, adversely (H. Rept. 109–58);

H. Res. 241, providing for the adoption of H. Res. 240, amending the rules of the House of Representatives to reinstate certain provisions of the rules relating to procedures of the Committee on Standards of Official Conduct to the form in which those provisions existed at the close of the 108th Congress (H. Rept. 109–59);

H. Res. 242, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 109–60); and

H.R. 742, to amend the Occupational Safety and Health Act of 1970 to provide for the award of attorneys' fees and costs to small employers when such employers prevail in litigation prompted by the issuance of a citation by the Occupational Safety and Health Administration (H. Rept. 109–61, pt.1). **Page 8066**

Speaker: Read a letter from the Speaker wherein he appointed Representative Emerson to act as Speaker Pro Tempore for today. **Page 7970**

Chaplain: The prayer was offered today by Rev. Fred S. Holloman, Chaplain, Kansas Senate in Topeka, Kansas. **Page 7970**

Journal: Agreed to the Speaker's approval of the Journal by a yea-and-nay vote of 371 yeas to 47 nays, with one voting "present," Roll No. 135. **Pages 7970, 7974**

Recess: The House recessed at 10:59 a.m. and reconvened at 11 a.m. **Page 7975**

Official Photograph of the House in Session: The official photograph of the House in session was taken pursuant to the provisions of H. Res. 232, permitting official photographs of the House of Representatives to be taken while the House is in actual session on a date designated by the Speaker. **Page 7975**

Recess: The House recessed at 11:02 a.m. and reconvened at 11:15 a.m. **Page 7975**

Expressing the sense of the House that American small businesses are entitled to a small business bill of rights: The House agreed to H. Res. 22, expressing the sense of the House of Representatives that American small businesses are entitled to a Small Business Bill of Rights, by voice vote. **Page 7997**

Rejected the Velázquez motion to recommit the bill to the Committee on Small Business by a yea-and-nay vote of 188 yeas to 222 nays, Roll No. 140. **Page 8008**

Pursuant to the rule, the amendments to the resolution and the preamble recommended by the Committee on Small Business printed in the resolution were adopted.

H. Res. 235, the rule providing for consideration of the measure was agreed to by voice vote, after agreeing to order the previous question by a yea-and-nay vote of 228 yeas to 221 nays, Roll No. 138. **Pages 7975, 7996**

Child Interstate Abortion Notification Act: The House passed H.R. 748, to amend title 18, United States Code, to prevent the transportation of minors in circumvention of certain laws relating to abortion, by a recorded vote of 270 ayes to 157 noes, Roll No. 144. **Page 8011**

Rejected the Nadler motion to recommit the bill to the Committee on the Judiciary with instructions to report the same back to the House with an amendment, by a yea-and-nay vote of 183 yeas to 245 nays, Roll No. 143. **Page 8034**

Agreed that the amendment in the nature of a substitute recommended by the Committee on the Judiciary, now printed in the bill be considered as an original bill for the purpose of amendment. **Page 8026**

Rejected:

Scott of Virginia amendment that sought to immunize taxi drivers, bus drivers, others in the business of professional transport, doctors, nurses, and/or other medical providers or their staff from the transportation provision of the bill (by a recorded vote of 179 ayes to 245 noes, Roll No. 141); and **Pages 8027, 8032**

Jackson-Lee amendment that sought to add to the exceptions to the offense of transporting minors for the purpose of obtaining an illegal abortion grandparents of the minor and members of the clergy (by a recorded vote of 177 ayes to 252 noes, Roll No. 142). **Pages 8029, 8033**

H. Res. 236, the rule providing for consideration of the bill was agreed to by voice vote, after agreeing to order the previous question by a yea-and-nay vote of 234 yeas to 192 nays, Roll No. 139. **Pages 7980, 7997**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Providing for expenses of certain committees of the House in the 109th Congress: H. Res. 224, amended, providing for the expenses of certain committees of the House of Representatives in the One Hundred and Ninth Congress; **Page 7990**

Presidential $1 Coin Act of 2005: Debated yesterday, April 26: H.R. 902, amended, to improve circulation of the $1 coin, create a new bullion coin, by a ⅔ yea-and-nay vote of 422 yeas to 6 nays, Roll No. 136; and **Page 7994**

Agreed to amend the title so as to read: to improve circulation of the $1 coin, create a new bullion coin, provide for the redesign of the reverse of the Lincoln 1-cent coin in 2009 in commemoration of the 200th anniversary of the birth of President Abraham Lincoln. **Page 7995**

Sense of Congress regarding the two-year anniversary of the human rights crackdown in Cuba: Debated yesterday, April 26: H. Con. Res. 81, expressing the sense of Congress regarding the two-year anniversary of the human rights crackdown in Cuba, by a ⅔ yea-and-nay vote of 398 yeas to 27 nays, with 2 voting "present," Roll No. 137. **Page 7995**

Suspension—Proceedings Postponed: The House completed debate on the following measure under suspension of the rules. Further proceedings will resume tomorrow, April 28.

Supporting the goals of World Intellectual Property Day: H. Res. 210, amended, supporting the goals of World Intellectual Property Day and recognizing the importance of intellectual property in the United States and worldwide. **Page 8009**

Dismissing Election Contest—6th District of Tennessee: The House agreed to H. Res. 239, dismissing the election contest relating to the office of Representative from the Sixth Congressional District of Tennessee. **Page 7994**

Amending the Rules of the House: The House agreed to H. Res. 241, providing for adoption of H. Res. 240, amending the Rules of the House of Representatives to reinstate certain provisions of the rules relating to procedures of the Committee on Standards of Official Conduct to the form in which those provisions existed at the close of the 108th Congress, by a yea-and-nay vote of 406 yeas to 20 nays, and one voting "present," Roll No. 145. **Page 8036**

Pursuant to the rule, upon adoption of the rule, H. Res. 240 was adopted. **Page 8045**

Earlier agreed to consider H. Res. 241 by voice vote. **Page 8036**

Senate Message: Message received from the Senate today appears on page 7970.

Senate Referral: S. Con. Res. 28 was held at the desk.

Quorum Calls—Votes: Eight yea-and-nay votes and three recorded votes developed during the proceedings today and appear on pages 7974, 7994–97, 8008, 8032–36, and 8044. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:22 p.m.

Committee Meetings

ASIAN SOYBEAN RUST

Committee on Agriculture: Subcommittee on Conservation, Credit, Rural Development and Research and the Subcommittee on General Farm Commodities and Risk Management held a joint hearing to Review the Impact of Asia Soybean Rust on the U.S. farm sector. Testimony was heard from the following officials of the USDA: Joseph Glauber, Deputy Chief Economist; and Joseph J. Jen, Under Secretary, Research, Education, and Economics; Jim Jones, Director, Office of Pesticide Programs, EPA; and public witnesses.

DEPARTMENT OF LABOR, HHS, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on the Department of Labor, Health and Human Services, Education, and Related Agencies held a hearing on Substance Abuse and Mental Health Services Panel: SAMHSA, NIDA, NIMH, and NIAAA. Testimony was heard from the following officials of the Department of Health and Human Services: Charles G. Curie, Administrator, Substance Abuse and Mental Health Services Administration; Nora D. Volkow, M.D., Director, National Institute on Drug Abuse; Thomas R. Insel, M.D., Director, National Institute on Mental Health; and Faye Calhoun, M.D., Deputy Director, National Institute on Alcohol Abuse and Alcoholism.

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HUD, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and Independent Agencies held a hearing on the Federal Railroad Administration and on AMTRAK. Testimony was heard from the following officials of the Department of Transportation: Robert Jamison, Acting Administrator, Federal Railroad Administration; Jeff Rosen, General Counsel; and Roger Nober, Chairman, Surface Transportation Board; and David Gunn, CEO, AMTRAK.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS

Committee on Appropriations: Subcommittee on Foreign Operations, Export Financing, and Related Programs held a hearing on State Department FY 2006 Budget Request. Testimony was heard from Robert Zoellick, Deputy Secretary, Department of State.

MISCELLANEOUS MEASURES; LONG-TERM CARE AND MEDICAID

Committee on Energy and Commerce: Subcommittee on Health approved for full Committee action the following measures: H.R. 1812, to amend the Public Health Service Act to authorize a demonstration grant program to provide patient navigator services to reduce barriers and improve health care outcomes; H.R. 184, Controlled Substances Export Reform Act of 2005; H.R. 869, To amend the Controlled Substances Act to lift the patient limitation on prescribing drug addiction treatments by medical practitioners in group practices; and H. Res. 169, amended, Recognizing the importance of sun safety.

The Subcommittee also held a hearing entitled "Long-Term Care and Medicaid: Spiraling Costs and the Need for Reform." Testimony was heard from Mark D. McClellan, M.D., Administrator, Centers for Medicare and Medicaid Services, Department of Health and Human Services; Douglas Holtz-Eakin, Director, CBO; Kathryn G. Allen, Director, Health Care—Medicaid and Private Health Insurance Issues, GAO; Carol V. O'Shaughnessy, Specialist in Social Legislation, Domestic Social Policy Division, CRS, Library of Congress; and public witnesses.

INTERNET PROTOCOL COMMUNICATIONS

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held a hearing on How Internet Protocol-Enabled Services Are Changing the Face of Communications: A View from Government Officials. Testimony was heard from Lewis K. Billings, Mayor, Provo City, Idaho; Kenneth Fellman, Mayor, Arvada, Colorado; Diane Munns, Commissioner, State Utilities Board, Iowa; Charles M. Davidson, Commissioner, Public Service Commission, Florida; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Financial Services: Ordered reported the following bills: H.R. 1768, To amend the provision of law establishing the Presidential 9/11 Heroes Medals of Valor to make certain technical corrections to carry out the intent of the provision; H.R. 358, amended, Little Rock Central High School Desegregation 50th Anniversary Commemorative Coin Act; H.R. 1185, amended, Federal Deposit Insurance Reform Act of 2005; H.R. 1224, amended, Business Checking Freedom Act of 2005; and H.R. 68, amended, NASA and JPL 50th Anniversary Commemorative Coin Act.

STEROID USE IN SPORTS

Committee on Government Reform: Continued hearings on Steroid Use in Sports Part II: Examining the National Football League's Policy on Anabolic Steroids and Related Substances. Testimony was heard from the following officials of the National Football League: Paul Tagliabue, Commissioner; Harold Henderson, Executive Vice President, Labor Relations; and Gene Upshaw, Executive Director, Players Association; John Lombardo, M.D., NFL Advisor, Anabolic Steroids and Related Substances; Bryan S. Finkle, M.D., NFL Consulting Toxicologist on Anabolic Steroids and Related Substances; Linn Goldberg, M.D., Professor of Medicine, Health Sciences, Oregon University; Gary I. Wadler, Associate Professor, Clinical Medicine, School of Medicine, New York University; Steve Courson, former NFL Player, Pittsburgh Steelers and Tampa Bay Buccaneers; Bobby Barnes, Head Football Coach, Buckeye Union High School, Arizona; and Willie Stewart, Head Football Coach, Anacostia High School, District of Columbia.

DEPARTMENT OF HOMELAND SECURITY AUTHORIZATION ACT OF FISCAL YEAR 2006

Committee on Homeland Security: Ordered reported, as amended, H.R. 1817, Department of Homeland Security Authorization Act for Fiscal Year 2006.

MISCELLANEOUS MEASURES; MILLENNIUM CHALLENGE ACCOUNT

Committee on International Relations: By unanimous consent, the Chairman was authorized to request consideration of the following measures under suspension of the rules in the House: H. Con. Res. 127, Calling on the Federal Republic of Nigeria to transfer Charles Ghankay Taylor, former President of the Republic of Liberia, to the Special Court for Sierra Leone to be tried for war crimes, crimes against humanity, and other serious violations of international humanitarian law; H. Res. 195, amended, Recognizing the 60th anniversary of Victory in Europe (VE) Day and the Liberation of Western Bohemia; H. Res. 233, amended, Recognizing the 60th anniversary of Victory in Europe (V–E) Day during World War II; H. Res. 193, Expressing support to the organizers and participants of the historic meeting of the Assembly to Promote the Civil Society in Cuba on May 20, 2005, in Havana; and H. Res. 228, amended, Observing the 30th anniversary of the fall of the Republic of Vietnam to the Communist forces of North Vietnam.

The Committee also held a hearing on Millennium Challenge Account: Does the Program Match the Vision? Testimony was heard from Paul V. Applegarth, Chief Executive Officer, Millennium Challenge Corporation; David B. Gootnick, M.D., Director, International Affairs and Trade Team, GAO; and a public witness.

EUROPE—ISLAMIC EXTREMISM

Committee on International Relations: Subcommittee on Europe and Emerging Threats held a hearing on Islamic Extremism in Europe. Testimony was heard from public witnesses.

OVERSIGHT—OFF-RESERVATION TRIBAL GAMING

Committee on Resources: Held an oversight hearing entitled "Tribal proposals to acquire land-in-trust for gaming across state lines and how such proposals are affected by the off-reservation discussion draft bill." Testimony was heard from Representatives Weller and Jackson of Illinois; J. Bradley Burzynski, member Senate, State of Illinois; Craig Foltin, Mayor, Lorain, Ohio; and public witnesses.

OVERSIGHT—NATIONAL FOREST REFORESTATION

Committee on Resources: Subcommittee on Forests and Forest Health held an oversight hearing on Reforestation Problems on National Forests: A GAO Report on the Increasing Backlog. Testimony was heard from Robin Nazzaro, Director, Natural Resources and Environment, GAO; Joel Holtrop, Deputy Chief, National Forest System, Forest Service, USDA; Ed Shepard, Assistant Director, Renewable Resources and Planning, Bureau of Land Management, Department of the Interior; and public witnesses.

AMENDING HOUSE RULES—REINSTATING CERTAIN PROVISIONS RELATING TO PROCEDURES OF THE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

Committee on Rules: Granted, by voice vote, a rule providing that upon adoption of the rule, H. Res. 240, Amending the Rules of the House of Representatives to reinstate certain provisions of the rules relating to procedures of the Committee on Standards of Official Conduct to the form in which those provisions existed at the close of the 108th Congress, is hereby adopted.

SAME DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE RULES COMMITTEE

Committee on Rules: Granted, by voice vote, a rule waiving clause 6(a) of Rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The rule applies the waiver to any special rule reported on the legislative day of April 28, 2005, providing for consideration or disposition of conference report to accompany the concurrent resolution (H. Con. Res. 95) establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010 or establishing a separate order relating to budget enforcement.

DOE—SCIENCE AND TECHNOLOGY PRIORITIES

Committee on Science: Subcommittee on Energy held a hearing on Science and Technology Priorities for the Department of Energy in Fiscal Year 2006. Testimony was heard from the following officials of the Department of Energy: Robert Shane Johnson, Deputy Director, Technology, Nuclear Energy, Science and Technology; Raymond Orbach, Director, Office of Science; Mark Maddox, Principal Deputy Assistant Secretary Fossil Energy; Kevin Kolevar, Director, Office of Electricity and Energy Assurance; and Douglas Faulkner, Principal Deputy Assistant Secretary, Energy Efficiency and Renewable Energy.

CLOSING THE TAX GAP—IMPACT ON SMALL BUSINESSES

Committee on Small Business: Held a hearing entitled "Closing the Tax Gap and the Impact on Small Businesses." Testimony was heard from Mark W. Everson, Commissioner, IRS, Department of the Treasury; Thomas M. Sullivan, Chief Counsel for Advocacy, SBA; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Transportation and Infrastructure: Ordered reported the following bills: H.R. 1412, amended, Delaware River Protection Act of 2005; H.R. 1496, amended, To return general aviation to Ronald Reagan Washington National Airport; H.R. 1630, Amtrak Reauthorization Act of 2005; and H.R. 1631, Rail Infrastructure Development and Expansion Act for the 21st Century.

Joint Meetings

CONCURRENT BUDGET RESOLUTION

Conferees met to resolve the differences between the Senate and House passed versions of H. Con. Res. 95, establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010, but did not complete action thereon, and recessed subject to the call.

SUPPLEMENTAL APPROPRIATIONS ACT

Conferees met to resolve the differences between the Senate and House passed versions of H.R. 1268, making emergency supplemental appropriations for defense, the global war on terror, and tsunami relief, for the fiscal year ending September 30, 2005, but did not complete action thereon, and will meet again on Thursday, April 28, 2005.

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Thursday, April 28, 2005

Senate

Chamber Action

Routine Proceedings, pages 8098–8266

Measures Introduced: Forty-four bills and seven resolutions were introduced, as follows: S. 933–976, S. Res. 128–132, and S. Con. Res. 29–30. **Page 8200**

Measures Reported: Report to accompany S. 907, to amend chapter 53 of title 49, United States Code, to improve the Nation's public transportation and for other purposes. (S. Rept. No. 109–62)

S. 136, to authorize the Secretary of the Interior to provide supplemental funding and other services that are necessary to assist certain local school districts in the State of California in providing education services for students attending schools located within Yosemite National Park, to authorize the Secretary of the Interior to adjust the boundaries of the Golden Gate National Recreation Area, with amendments. (S. Rept. No. 109–63)

S. 661, to amend the Internal Revenue Code of 1986 to provide for the modernization of the United States Tax Court, with an amendment in the nature of a substitute. (S. Rept. No. 109–64) **Page 8199**

Measures Passed:

Commending Judge Annice M. Wagner: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of S. Res. 107, commending Annice M. Wagner, Chief Judge of the District of Columbia Court of Appeals, for her public service, and the resolution was then agreed to. **Page 8098**

Public Service Recognition Week: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of S. Res. 108, expressing the sense of the Senate that public servants should be commended for their dedication and continued service to the Nation during Public Service Recognition Week, May 2 through 8, 2005, and the resolution was then agreed to. **Page 8099**

Smithsonian Institution Board of Regents: Committee on Rules and Administration was discharged from further consideration of H.J. Res. 19, providing for the appointment of Shirley Ann Jackson as a citizen regent of the Board of Regents of the Smithsonian Institution, and the resolution was then agreed to. **Page 8099**

Smithsonian Institution Board of Regents: Committee on Rules and Administration was discharged from further consideration of H.J. Res. 20, providing for the appointment of Robert P. Kogod as a citizen regent of the Board of Regents of the Smithsonian Institution, and the resolution was then agreed to. **Page 8099**

Adjournment Resolution: Senate agreed to S. Con. Res. 29, providing for a conditional adjournment or recess of the Senate. **Page 8131**

Celebrating Young Americans: Senate agreed to S. Res. 128, designating April 30, 2005, as "Día de los Niños: Celebrating Young Americans". **Page 8259**

Commending Virginia Retail Merchants Association: Senate agreed to S. Res. 129, commending the Virginia Retail Merchants Association on 100 years of service to the community. **Page 8259**

North American Occupational Safety and Health Week: Senate agreed to S. Res. 130, designating the week of May 1 through May 7, 2005, as "North American Occupational Safety and Health Week (NAOSH)". **Page 8259**

Commemorating Law Enforcement Officers: Senate agreed to S. Res. 131, commemorating and acknowledging the dedication and sacrifice made by the men and women who have lost their lives while serving as law enforceement officers. **Page 8259**

National Better Hearing and Speech Month: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of S. Res. 121, supporting May 2005 as "National Better Hearing and Speech Month" and commending those States that have implemented routine hearing screenings for every newborn before the newborn leaves the hospital, and the resolution was then agreed to. **Page 8261**

National Hepatitis B Awareness Week: Committee on the Judiciary was discharged from further consideration of S. Res. 117, designating the week of May 9, 2005, as "National Hepatitis B Awareness Week", and the resolution was then agreed to. **Page 8262**

Animal Fighting Prohibition Enforcement Act: Committee on the Judiciary was discharged from further consideration of S. 382, to amend title 18, United States Code, to strengthen prohibitions against animal fighting, and the bill was then passed. **Page 8262**

Recognizing Big Brothers and Sisters: Senate agreed to H. Con. Res. 41, recognizing the second century of Big Brothers Big Sisters, and supporting the mission and goals of that organization. **Page 8263**

Terrorist Organizations List: Committee on Foreign Relations was discharged from further consideration of S. Res. 82, urging the European Union to add Hezbollah to the European Union's wide-ranging list of terrorist organizations, and the resolution was then agreed to, after agreeing to the following amendment to the preamble: **Page 8263**

Frist (for Allen) Amendment No. 596, to provide a substitute to the preamble. **Page 8263**

Intelsat Separated Entities: Senate passed S. 976, striking the specific privatization criteria in ORBIT for Intelsat Separated Entities (New Skies) and Inmarsat and Other Technical Corrections. **Page 8264**

Transportation Equity Act: Senate continued consideration of H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and then began consideration of the bill, taking action on the following amendments proposed thereto: **Pages 8105, 8119**

Adopted:

Thune Amendment No. 593 (to Amendment No. 567), to retain current levels of State authority over matters relating to preservation, historic, scenic natural environment, and community values. **Pages 8119, 8128**

Gregg (for Isakson) Amendment No. 594 (to Amendment No. 567), to require the Secretary of Transportation to approve a certain construction project in the State of Georgia, provide for the reservation of Federal funds for the project, and clarify that the project meets certain requirements. **Page 8129**

Rejected:

Bond Amendment No. 592 (to Amendment No. 567), to strike the highway stormwater discharge mitigation program. (By 51 yeas to 49 nays (Vote No. 113), Senate tabled the amendment.) **Pages 8106, 8123**

Withdrawn:

Bayh Amendment No. 568 (to Amendment No. 567), to amend title VII of the Tariff Act of 1930 to provide that the provisions relating to countervailing duties apply to nonmarket economy countries. **Page 8102**

Pending:

Inhofe Amendment No. 567, to provide a complete substitute. **Pages 8105, 8119**

Salazar Amendment No. 581 (to Amendment No. 567), to modify the percentage of apportioned funds that may be used to address needs relating to off-system bridges. **Page 8122**

During consideration of this bill today, Senate also took the following action:

By 98 yeas to 1 nay (Vote No. 112), Senate agreed to the motion to recess until 2 p.m. **Page 8117**

A unanimous-consent agreement was reached providing for further consideration of the bill at 2 p.m., on Monday, May 9, 2005. **Page 8264**

Concurrent Budget Resolution—Conference Report: By 52 yeas to 47 nays (Vote No. 114), Senate agreed to the conference report to accompany H. Con. Res. 95, establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010, clearing the measure for the President. **Page 8133**

Appointments: Task Force on Slave Laborers: The Chair, on behalf of the President pro tempore, pursuant to S. Con Res. 130 (106th Congress), appointed the following individual to the Task Force on Slave Laborers: Curtis H. Sykes of Arkansas, and notes Senator Blanche Lincoln of Arkansas will serve as the designee of the Democratic Leader. **Page 8257**

U.S. Commission on International Religious Freedom: The Chair, on behalf of the President pro tempore, upon the recommendation of the Democratic Leader, pursuant to Public Law 105–292, as amended by Public Law 106–55, and as further amended by Public Law 107–228, appointed the following individual to the United States Commission on International Religious Freedom: Most Reverend Ricardo Ramirez, C.S.B. of New Mexico for a term of two years (May 15, 2005–May 14, 2007). **Page 8257**

Authorizing Leadership To Make Appointments—Agreement: A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate, the President of the Senate, the President pro tempore, and the Majority and Minority Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate. **Page 8264**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that during this adjournment of the Senate, the Majority Leader, Assistant Majority Leader, and Senator Warner, be authorized to sign duly enrolled bills or joint resolutions. **Page 8264**

Nominations Confirmed: Senate confirmed the following nominations:

James C. Dever III, of North Carolina, to be United States District Judge for the Eastern District of North Carolina.

Robert J. Conrad, Jr., of North Carolina, to be United States District Judge for the Western District of North Carolina. **Page 8129**

Jonathan Brian Perlin, of Maryland, to be Under Secretary for Health of the Department of Veterans Affairs for a term of four years.

William Cobey, of North Carolina, to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority for a term expiring May 30, 2010.

Nancy Ann Nord, of the District of Columbia, to be a Commissioner of the Consumer Product Safety Commission for the remainder of the term expiring October 26, 2005.

Nancy Ann Nord, of the District of Columbia, to be a Commissioner of the Consumer Product Safety Commission for a term of seven years from October 27, 2005.

Joseph H. Boardman, of New York, to be Administrator of the Federal Railroad Administration. **Pages 8257, 8265**

Stephen L. Johnson, of Maryland, to be Administrator of the Environmental Protection Agency. (Prior to this action, by 61 yeas to 37 nays (Vote No. 115), Senate agreed to the motion to invoke cloture on the nomination.) **Page 8181**

Robert J. Portman, of Ohio, to be United States Trade Representative, with the rank of Ambassador. (Prior to this action, the pending vote on the motion to invoke cloture on the nomination was vitiated.) **Page 8183**

Phyllis F. Scheinberg, of Virginia, to be an Assistant Secretary of Transportation.

Daniel Fried, of the District of Columbia, to be an Assistant Secretary of State (European Affairs). (Prior to this action, Committee on Foreign Relations was discharged from further consideration).

6 Air Force nominations in the rank of general.

101 Army nominations in the rank of general.

3 Marine Corps nominations in the rank of general.

3 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Marine Corps. **Pages 8257, 8265**

Nominations Received: Senate received the following nominations:

Donald E. Booth, of Virginia, to be Ambassador to the Republic of Liberia.

Molly Hering Bordonaro, of Oregon, to be Ambassador to the Republic of Malta.

Julie Finley, of the District of Columbia, to be U.S. Representative to the Organization for Security and Cooperation in Europe, with the rank of Ambassador.

Richard J. Griffin, of Virginia, to be an Assistant Secretary of State (Diplomatic Security).

Richard J. Griffin, of Virginia, to be Director of the Office of Foreign Missions, and to have the rank of Ambassador during his tenure of service.

Joseph A. Mussomeli, of Virginia, to be Ambassador to the Kingdom of Cambodia.

Richard L. Skinner, of Virginia, to be Inspector General, Department of Homeland Security.

Kevin F. Sullivan, of New York, to be Assistant Secretary for Communications and Outreach, Department of Education.

Catherine Lucille Hanaway, of Missouri, to be United States Attorney for the Eastern District of Missouri for the term of four years.

Dina Habib Powell, of Texas, to be an Assistant Secretary of State (Educational and Cultural Affairs).
Page 8264

Messages From the House: **Page 8198**

Measures Referred: **Page 8198**

Measures Read First Time: **Page 8198**

Executive Communications: **Page 8198**

Executive Reports of Committees: **Page 8199**

Additional Cosponsors: **Page 8202**

Statements on Introduced Bills/Resolutions: **Page 8203**

Additional Statements: **Page 8196**

Amendments Submitted: **Page 8254**

Notices of Hearings/Meetings: **Page 8256**

Authority for Committees to Meet: **Page 8256**

Privilege of the Floor: **Page 8256**

Record Votes: Four record votes were taken today. (Total—115) **Pages 8117, 8128, 8181 8183**

Adjournment: Senate convened at 9:30 a.m. and, pursuant to the provisions of S. Con. Res. 29, adjourned at 1:26 a.m. on Friday, April 29, 2005, until 2 p.m., on Monday, May 9, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 8264.)

Committee Meetings

BIOTERRORISM AND PROJECT BIOSHIELD

Committee on Appropriations: Subcommittee on Homeland Security concluded a hearing to examine bioterrorism and Project BioShield, which is a comprehensive effort to develop and make available modern, effective drugs and vaccines to protect against attack by biological and chemical weapons or other dangerous pathogens, after receiving testimony from Penrose Albright, Assistant Secretary of Homeland Security for Science and Technology Directorate; Stewart Simonson, Assistant Secretary of Health and Human Services for Public Health Emergency Preparedness; David Franz, Midwest Research Institute, Kansas City, Missouri; Leighton Read, Alloy Ventures, Palo Alto, California; and John Clerici, McKenna Long and Aldridge, Washington, D.C.

DEFENSE AUTHORIZATION

Committee on Armed Services: Committee concluded open and closed hearings to examine defense intelligence in review of the Defense Authorization Request for fiscal year 2006, after receiving testimony from Stephen A. Cambone, Under Secretary for Intelligence, and Vice Admiral Lowell E. Jacoby, USN, Director, Defense Intelligence Agency, both of the Department of Defense.

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported 741 nominations in the Army, Navy, Air Force, and Marine Corps.

PARKS BILLS

Committee on Energy and Natural Resources: Subcommittee on National Parks concluded a hearing to examine S. 242, to establish 4 memorials to the Space Shuttle Columbia in the State of Texas, S. 262, to authorize appropriations to the Secretary of the Interior for the restoration of the Angel Island Immigration Station in the State of California, S. 336, to direct the Secretary of the Interior to carry out a study of the feasibility of designating the Captain John Smith Chesapeake National Historic Watertrail as a national historic trail, S. 670, to authorize the Secretary of the Interior to conduct a special resource study of sites associated with the life of Cesar Estrada Chavez and the farm labor movement, S. 777, to designate Catoctin Mountain Park in the State of Maryland as the "Catoctin Mountain National Recreation Area", and H.R. 126, to amend Public Law 89–366 to allow for an adjustment in the number of free roaming horses permitted in Cape Lookout National Seashore, after receiving testimony from Senator Sarbanes; Representative Walter B. Jones; Michael Soukup, Associate Director, Natural Resource Stewardship and Science, National Park Service, Department of the Interior; Felicia Lowe, Angel Island Immigration Station Board, San Francisco, California; and Patrick F. Noonan, The Conservation Fund, Arlington, Virginia.

BUILDING ASSETS AMONG LOW-INCOME FAMILIES

Committee on Finance: Subcommittee on Social Security and Family Policy held a hearing to examine building assets for low-income families, including the Institute for Social and Economic Development (ISED), using the private pension system and Individual Retirement Accounts (IRAs), and increasing savings, receiving testimony from Michelle Simmons, Norristown, Pennsylvania, and Dorothy Beale, Philadelphia, Pennsylvania, both of the Women's Opportunity Resource Center; Charles M. Palmer, Institute for Social and Economic Development, Des

Moines, Iowa; Victoria Gonzalez-Rubio, Delmar-Harvard Elementary School, University City, Missouri; Ric Edelman, Edelman Financial Services, Inc., Fairfax, Virginia; Bernard M. Wilson, H&R Block, Kansas City, Missouri, on behalf of the Outreach and Business Development; Michael Sherraden, Washington University Center for Social Development, St. Louis, Missouri; Trina R. Williams Shanks, University of Michigan School of Social Work, Ann Arbor; Fred T. Goldberg, Jr., Skadden, Arps, Slate, Meagher and Flom, LLP, Ray Boshara, New America Foundation, David C. John, The Heritage Foundation, and J. Mark Iwry, The Brookings Institution, all of Washington, D.C.

Hearing recessed subject to the call.

DEFENSE MANAGEMENT

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia concluded a hearing to examine Department of Defense business practices, focusing on fiscal trends that prompt questions about the affordability and sustainability of the rate of growth in defense spending, business management challenges that DOD needs to address to successfully transform its business operations, and key elements for achievements of reforms, after receiving testimony from David M. Walker, Comptroller General of the United States, Government Accountability Office; Clay Johnson III, Deputy Director for Management, Office of Management and Budget; and Bradley M. Berkson, Acting Deputy Under Secretary of Defense for Logistics and Materiel Readiness.

POST-SECONDARY EDUCATION

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine access and accountability relating to providing quality post-secondary education, focusing on the Federal government's role in making post-secondary education financially available for Americans, after receiving testimony from Kati Haycock, Education Trust, Washington, D.C.; Brian Bosworth, FutureWorks, Arlington, Massachusetts; Robert M. Shireman, The Institute for College Access and Success, Inc., Berkeley, California; Phillip F. Van Horn, Wyoming Student Loan Corporation, and Western States Learning Corporation, Cheyenne; and Trinity Thorpe, Malibu, California.

BUSINESS MEETING

Committee on the Judiciary: Committee began markup of S. 852, to create a fair and efficient system to resolve claims of victims for bodily injury caused by asbestos exposure, but did not complete consideration thereon, and recessed subject to call.

BORDER SECURITY

Committee on the Judiciary: Subcommittee on Immigration, Border Security and Citizenship concluded a joint hearing with the Subcommittee on Terrorism, Technology and Homeland Security to examine the use of technology to strengthen border security between the Ports of Entry, focusing on the operations and law enforcement initiatives of the Office of Border Patrol, after receiving testimony from David Aguilar, Chief, Office of Border Patrol, U.S. Customs and Border Protection, and Kirk Evans, Director, Mission Support Office, Homeland Security Advanced Research Projects Agency, Science and Technology Directorate, both of the Department of Homeland Security.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

House of Representatives

Chamber Action

Measures Introduced: 90 public bills, H.R. 1950–2039; 1 private bill, H.R. 2040; and 6 resolutions, H.J. Res 46; H. Con. Res. 141, and H. Res. 249–252, were introduced. **Page 8352**

Additional Cosponsors: **Page 8356**

Reports Filed: Reports were filed today as follows:

Conference report on H. Con. Res. 95, establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010 (H. Rept. 109–62);

H. Res. 248, waiving points of order against the conference report to accompany H. Con. Res. 95, establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010 (H. Rept. 109–63);

H.R. 1036, to amend title 17, United States Code, to make technical corrections relating to copyright royalty judges (H. Rept. 109–64);

H.R. 1544, to provide faster and smarter funding for first responders, amended (H. Rept. 109–65), and H.R. 22, to reform the postal laws of the United States, amended (H. Rept. 109–66, Pt. I). **Pages 8276, 8352**

Chaplain: The prayer was offered today by Dr. Ivan N. Raley, Pastor, First Baptist Church in Byrdstown, Tennessee. **Page 8267**

Journal: Agreed to the Speaker's approval of the Journal by a yea-and-nay vote of 345 yeas to 75 nays, with one voting "present", Roll No. 148. **Pages 8267, 8318**

Concurrent Resolution on the Budget for FY 2006—Conference Report: The House agreed to H. Con. Res. 95, establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010, by a yea-and-nay vote of 214 yeas to 211 nays, Roll No. 149. **Page 8320**

Agreed to H. Res. 242, waiving a requirement of clause 6(a) of Rule XIII with respect to the same day consideration of certain resolutions reported by the Rules Committee, by a yea-and-nay vote of 230 yeas to 199 nays, Roll No. 146. **Page 8269**

Agreed to H. Res. 248, the rule providing for consideration of the conference report, by voice vote, after agreeing to order the previous question by a yea-and-nay vote of 228 yeas to 196 nays, Roll No. 147. **Page 8309**

Recess: The House recessed at 11:33 a.m. and reconvened at 2:46 p.m. **Page 8275**

Recess: The House recessed at 2:47 p.m. and reconvened at 4:51 p.m. **Page 8309**

Privileged Resolution: Representative Conyers announced his intention to offer a privileged resolution raising a question of the privileges of the House. **Page 8319**

Suspension: The House agreed to suspend the rules and pass the following measure which was debated yesterday, April 27:

Supporting the goals of World Intellectual Property Day: H. Res. 210, supporting the goals of World Intellectual Property Day and recognizing the importance of intellectual property in the United States and worldwide, by a ⅔ yea-and-nay vote of 315 yeas with none voting "nay", Roll No. 150. **Page 8335**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 2 p.m. on Monday, May 2, and further that when the House adjourn on that day, it adjourn to meet at 12:30 p.m. on Tuesday, May 3 for Morning Hour debate. **Page 8337**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, May 4. **Page 8337**

Senate District Work Period: The House agreed to S. Con. Res. 29, providing for a conditional recess or adjournment of the Senate. **Page 8337**

Ticket to Work and Work Incentives Advisory Panel—Appointment: Read a letter from the Minority Leader wherein she appointed Ms. Loretta Goff of New York to the Ticket to Work and Work Incentives Advisory Panel. **Page 8337**

House Page Board—Appointment: Read a letter from the Minority Leader wherein she appointed Representative Kildee to the House of Representatives Page Board. **Page 8338**

Senate Message: Message received from the Senate today appears on page 8335.

Quorum Calls—Votes: Five yea-and-nay votes developed during the proceedings today and appear on pages 8275, 8318, and 8334–35. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:05 p.m.

Committee Meetings

DEPARTMENT OF LABOR, HHS, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on the Department of Labor, Health and Human Services, Education, and Related Agencies continue appropriation hearings. Testimony was heard from public witnesses.

RETIREE HEALTH CARE BENEFITS

Committee on Education and the Workforce: Subcommittee on Employer-Employee Relations held a hearing on Challenges to Employer Efforts to Preserve Retiree Health Care Benefits. Testimony was heard from Leslie Silverman, Commissioner, EEOC; and public witnesses.

DOMINICAN REPUBLIC-CENTRAL AMERICA FREE TRADE AGREEMENT

Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protection held a hearing on Dominican Republic-Central America Free Trade Agreement (CAFTA). Testimony was heard from Regina L. Vargo, Assistant U.S. Trade Representative for the Americas; and public witnesses.

COMBATING TRAFFICKING IN PERSONS

Committee on Financial Services: Subcommittee on Domestic and International Monetary Policy, Trade, and Technology held a hearing entitled "Combating Trafficking in Persons: Status Report on Domestic and International Developments." Testimony was heard from John Miller, Director, Office to Monitor and Combat Trafficking in Persons, Department of State; and public witnesses.

RE-EXAMINATION—FEDERAL AGENCIES' CONTINUITY OF OPERATIONS PLANS

Committee on Government Reform: Held a hearing entitled "Who's Watching the COOP? A Re-Examination of Federal Agencies' Continuity of Operations Plans." Testimony was heard from Reynold N. Hoover, Director, Office of National Security Coordination, FEMA, Department of Homeland Security; Marta Brito Perez, Associate Director, OPM; Linda Koontz, Director, Information Management, GAO; and public witnesses.

NUCLEAR POWER GENERATION

Committee on Government Reform: Subcommittee on Energy and Resources held a hearing entitled "The Role of Nuclear Power Generation in a Comprehensive National Energy Policy." Testimony was heard from public witnesses.

NORTH KOREAN HUMAN RIGHTS ACT

Committee on International Relations: Subcommittee on Asia and the Pacific and the Subcommittee on Africa, Global Human Rights and International Operations held a joint hearing on The North Korean Human Rights Act of 2004: Issues and Implementation. Testimony was heard from the following officials of the Department of State: Joseph E. DeTrani, Special Envoy for the Six-Party Talks; Arthur E. Dewey, Assistant Secretary, Bureau of Population, Refugees, and Migration; and Gretchen A. Birkle, Acting Principal Deputy Assistant Secretary, Bureau of Democracy, Human Rights and Labor; and public witnesses.

NUCLEAR NONPROLIFERATION TREATY REVIEW CONFERENCE

Committee on International Relations: Subcommittee on International Terrorism and Nonproliferation held a hearing on Previewing the Nuclear Nonproliferation Treaty Review Conference. Testimony was heard from Stephen G. Rademaker, Assistant Secretary, Bureau of Arms Control, Department of State; and public witnesses.

U.N. OIL-FOR-FOOD PROGRAM

Committee on International Relations: Subcommittee on Oversight and Investigations held a hearing on The Role of BNP–Paribas SA (Banque National de Paris) in the United Nations Oil-for-Food Program, Testimony was heard from public witnesses.

PATENT QUALITY IMPROVEMENT

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property continued oversight hearings entitled "Committee Print Regarding Patent Quality Improvement" (Part 2). Testimony was heard from Jon W. Dudas, Under Secretary, Intellectual Property and Director, U.S. Patent and Trademark Office, Department of Commerce; and public witnesses.

OVERSIGHT—USA PATRIOT ACT

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held an oversight hearing on the Implementation of the USA PATRIOT Act: Sections of the Act that Address Foreign Intelligence Surveillance Act (FISA) (Part 2)—Section 206: Roving Surveillance Authority Under the Foreign Intelligence Surveillance Act of 1978; and Section 215: Access to Records and Other Items Under the Foreign Intelligence Surveillance Act. Testimony was heard from James A. Baker, Counsel, Intelligence Policy, Department of Justice; Kenneth L. Wainstein, Interim U.S. Attorney, District of Columbia; Robert S. Khuzami, former Assistant U.S. Attorney, Southern District of New York; and a public witness.

OVERSIGHT—USA PATRIOT ACT IMPLEMENTATION

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held an oversight hearing on the Implementation of the USA PATRIOT Act: Section 218, Foreign Intelligence Information ("The Wall"). Testimony was heard from Patrick Fitzgerald, U.S. Attorney, Northern District of Illinois, Department of Justice; and public witnesses.

OVERSIGHT—AMERICA'S MINING INDUSTRY

Committee on Resources: Subcommittee on Energy and Mineral Resources held an oversight hearing entitled "Improving the Competitiveness of America's Mining Industry." Testimony was heard from public witnesses.

CONFERENCE REPORT—CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2006

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report on H. Con. Res. 95, establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010, and against its consideration. The rule provides that the conference report shall be considered as read. The rule provides one hour of debate in the House equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget. Section 2 of the resolution establishes a separate order for the 109th Congress creating a point of order in the Committee of the Whole against a motion to rise and report a general appropriations bill if the bill, as amended, is found in breach of its 302(b) allocation. Testimony was heard from Chairman Nussle.

NASA EARTH SCIENCE

Committee on Science: Held a hearing on NASA Earth Science. Testimony was heard from Alphonso V. Diaz, Associate Administrator, Science Mission Directorate, NASA; and public witnesses.

REDUCE UNNECESSARY REGULATORY BURDEN ON MANUFACTURERS

Committee on Small Business: Subcommittee on Regulatory Reform and Oversight held a hearing on the Administration's Program To Reduce Unnecessary Regulatory Burden on Manufacturers—A Promise To Be Kept? Testimony was heard from John D. Graham, Administrator, Office of Information and Regulatory Affairs, OMB; Thomas M. Sullivan, Chief Counsel for Advocacy, SBA; Stephanie Daigle, Acting Associate Administrator, Policy, Economics, and Innovation, EPA; Veronica Vargas Stidvent, Assistant Secretary, Policy, Department of Labor; and public witnesses.

OVERSIGHT—NEW TECHNOLOGIES—RAIL SAFETY AND SECURITY

Committee on Transportation and Infrastructure: Subcommittee on Railroads held an oversight hearing on New Technologies for Rail Safety and Security. Testimony was heard from Jo Strang, Deputy Associate Administrator, Railroad Development, Federal Railroad Administration, Department of Transportation; Bob Chipkevich, Director, Railroads, Pipelines, and Hazardous Materials Investigation Department, National Transportation Safety Board; and public witnesses.

BRIEFING—OVERSIGHT SUBCOMMITTEE ACTIVITY UPDATE; BRIEFING ON GLOBAL UPDATES

Permanent Select Committee on Intelligence: Met in executive session to receive a Briefing on Oversight Subcommittee Activity Update. Testimony was heard from departmental witnesses.

The Committee also met in executive session to receive a Briefing on Global Updates. Testimony was heard from departmental witnesses.

Joint Meetings

MEDICAL LIABILITY REFORM

Joint Economic Committee: Committee concluded a hearing to examine medical liability reform, after receiving testimony from Mark B. McClellan, Administrator, Centers for Medicare and Medicaid Services, Department of Health and Human Services.

CONCURRENT BUDGET RESOLUTION

Conferees agreed to file a conference report on the differences between the Senate and House passed versions of H. Con. Res. 95, establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010.

SUPPLEMENTAL APPROPRIATIONS ACT

Conferees met to resolve the differences between the Senate and House passed versions of H.R. 1268, making emergency supplemental appropriations for defense, the global war on terror, and tsunami relief, for the fiscal year ending September 30, 2005, but did not complete action thereon, and recessed subject to the call.

Monday, May 2, 2005

Senate

Chamber Action

The Senate was not in session today. It will next meet on Monday, May 9, 2005, at 2 p.m.

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Measures Introduced: 2 public bills, H.R. 2041–2042; and; 2 resolutions, H.J. Res. 47; H. Con. Res. 142, were introduced. **Page 8390**

Additional Cosponsors: **Page 8390**

Reports Filed: Reports were filed today as follows:

Filed on April 29: H.R. 1185, to reform the Federal deposit insurance system, amended, (H. Rept. 109–67). **Page 8390**

Speaker: Read a letter from the Speaker wherein he appointed Representative Murphy to act as Speaker Pro Tempore for today. **Page 8388**

Member Resignation: Read a letter from Representative Portman, wherein he resigned as Representative of the 2nd Congressional District of Ohio, effective at 12 noon on April 29, 2005. **Page 8388**

House Historian—Appointment: The Chair announced the Speaker's appointment of Dr. Robert V. Remeni as Historian of the House of Representatives. **Page 8388**

Senate Message: Message received from the Senate today appears on page 8388.

Senate Referral: S. 382 was referred to the Committees on the Judiciary and Agriculture; S. 976 was referred to the Committee on Energy and Commerce. **Page 8389**

Quorum Calls—Votes: There were no votes or quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 2:06 p.m.

Committee Meetings

No committee meetings were held.

Tuesday, May 3, 2005

Senate

Chamber Action

The Senate was not in session today. It will next meet on Monday, May 9, 2005, at 2 p.m.

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Measures Introduced: 23 public bills, H.R. 2043–2065; and 3 resolutions, H. Con. Res. 1143, and H. Res. 253 and 256, were introduced. **Page 8532**

Additional Cosponsors: **Page 8533**

Reports Filed: Reports were filed today as follows:

H.R. 32, to amend title 18, United States Code, to provide criminal penalties for trafficking in counterfeit marks, amended (H. Rept. 109–68);

H. Res. 254, providing for consideration of H.R. 366, to amend the Carl D. Perkins Vocational and Technical Education Act of 1998 to strengthen and improve programs under that Act (H. Rept. 109–69);

H. Res. 255, providing for consideration of H.R. 1185, to reform the Federal deposit insurance system (H. Rept. 109–70);

H.R. 1187, Department of Homeland Security Authorization Act for Fiscal Year 2006, amended (H. Rept. 109–71, Part 1); and

Conference Report to accompany H.R. 1268, making Emergency Supplemental Appropriations for Defense, the Global War on Terror, and Tsunami Relief (H. Rept. 109–72). **Page 8532**

Speaker: Read a letter from the Speaker wherein he appointed Representative Petri to act as Speaker Pro Tempore for today. **Page 8393**

Recess: The House recessed at 12:56 p.m. and reconvened at 2 p.m. **Page 8396**

Commission on Civil Rights—Appointment: The Chair announced the Speaker's reappointment, upon the recommendation of the Minority Leader, of Mr. Michael Yaki of San Francisco, California to the Commission on Civil Rights for a six-year term. **Page 8399**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Congratulating charter schools for their contributions to education: H. Res. 218, congratulating charter schools and their students, parents, teachers, and administrators across the United States for their ongoing contributions to education; **Page 8399**

Honoring the late playwright Arthur Miller and the University of Michigan: H. Res. 216, amended, to honor the late playwright Arthur Miller and the University of Michigan for its intention of building a theatre in his name; and **Page 8404**

Observing the 30th anniversary of the fall of the Republic of Vietnam: H. Res. 228, amended, observing the 30th anniversary of the fall of the Republic of Vietnam to the Communist forces of North Vietnam, by a ⅔ yea-and-nay vote of 416 yeas with none voting "nay", Roll No. 152. **Pages 8406, 8427**

Agreed to amend the title so as to read: resolution honoring the contributions of Vietnamese Americans to American society over the past three decades. **Page 8428**

Suspensions—Proceedings Postponed: The House completed debate on the following measures under suspension of the rules. Further proceedings will resume tomorrow, May 4.

Calling on the Government of the Federal Republic of Nigeria to transfer Charles Ghankay Taylor to the Special Court for Sierra Leone: H. Con. Res. 127, calling on the Government of the Federal Republic of Nigeria to transfer Charles Ghankay Taylor, former President of the Republic of Liberia, to the Special Court for Sierra Leone to be tried for war crimes, crimes against humanity, and other serious violations of international humanitarian law; **Page 8410**

Recognizing the 60th anniversary of VE Day and the Liberation of Western Bohemia: H. Res. 195, recognizing the 60th anniversary of Victory in Europe (VE) Day and the Liberation of Western Bohemia; and **Page 8414**

Recognizing the 60th anniversary of V–E Day during WWII: H. Res. 233, amended, recognizing the 60th anniversary of Victory in Europe (V–E) Day during World War II. **Page 8415**

Recess: The House recessed at 4:15 p.m. and reconvened at 5:31 p.m. **Page 8417**

Privileged Resolution: The House agreed that the Chair be authorized to postpone further proceedings on a motion to lay on the table H. Res. 253 to a time designated by the Speaker. **Page 8417**

The House agreed to table H. Res. 253, relating to a question of privileges of the House by a yea-and-nay vote of 220 to 196 nays, Roll No. 151. **Page 8417**

Late Report: Agreed that the managers on the part of the House have until midnight tonight to file the conference report to accompany H.R. 1268. **Page 8427**

Privileged Resolution—Intent to Offer: Representative Nadler announced his intention to offer a privileged resolution raising a question of the privileges of the House. **Page 8428**

Advisory Committee on the Records of Congress—Appointments: The Chair announced the Speaker's reappointment of Mr. Timothy J. Johnson of Minnetonka, Minnesota to the Advisory Committee on the Records of Congress. **Page 8429**

Read a letter from the Minority Leader wherein she appointed Dr. Joseph Cooper of Maryland to the Advisory Committee on the Records of Congress. **Page 8429**

Read a letter from the Clerk of the House wherein he appointed Susan Palmer of Aurora, Illinois to the Advisory Committee on the Records of Congress. **Page 8429**

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings today and appear on pages 8427–28. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 11:59 p.m.

Committee Meetings

ARCHITECT OF THE CAPITOL

Committee on Appropriations: Held a hearing on the Architect of the Capitol. Testimony was heard from Alan Hantman, Architect of the Capitol.

OVERSIGHT—USA PATRIOT ACT IMPLEMENTATION

Committee on the Judiciary: Subcommittee on Crime, Terrorism and the Committee on Homeland Security held an oversight hearing on the Implementation of the USA PATRIOT Act: Sections 201, 202, 223 of the Act that Address Criminal Wiretaps, and Section 213 of the Act that Addresses Delayed Notice. Testimony was heard from Chuck Rosenberg, Chief of Staff, Deputy Attorney General, Department of Justice; Michael Sullivan, U.S. Attorney, District of Massachusetts; former Representative Bob Barr of Georgia; and a public witness.

VOCATION AND TECHNICAL EDUCATION FOR THE FUTURE ACT

Committee on Rules: Granted, by voice vote, a structured rule providing one hour of general debate on H.R. 366, Vocational and Technical Education for the Future Act, equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill shall be considered as an original bill for the purpose of amendment. The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. The rule provides that the amendments printed in the report may be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Boehner and Representatives Castle, Woolsey and Wu.

FEDERAL DEPOSIT INSURANCE REFORM ACT OF 2005

Committee on Rules: Granted, by voice vote, an open rule providing one hour of general debate on H.R. 1185, Federal Deposit Insurance Reform Act of 2005, equally divided and controlled by the chairman and ranking minority member of the Committee on Financial Services. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill shall be considered as an original bill for the purpose of amendment. The rule provides that the bill shall be considered for amendment by section and that each section shall be considered as read. The rule authorized the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Oxley and Representatives Rohrabacher and Maloney.

Résumé of Congressional Activity

FIRST SESSION OF THE ONE HUNDRED NINTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 4 through April 30, 2005

	Senate	*House*	*Total*
Days in session	54	40	..
Time in session	377 hrs., 50′	255 hrs., 12′	..
Congressional Record:			
Pages of proceedings	4,609	2,739	..
Extensions of Remarks	..	836	..
Public bills enacted into law	5	5	10
Private bills enacted into law	..	..	..
Bills in conference	2	1	..
Measures passed, total	124	178	302
Senate bills	14	5	..
House bills	6	54	..
Senate joint resolutions	1	..	..
House joint resolutions	2	3	..
Senate concurrent resolutions	10	5	..
House concurrent resolutions	12	28	..
Simple resolutions	79	83	..
Measures reported, total*	91	65	156
Senate bills	70	2	..
House bills	1	30	..
Senate joint resolutions	..	..	..
House joint resolutions	..	..	..
Senate concurrent resolutions	1	..	..
House concurrent resolutions	..	2	..
Simple resolutions	19	31	..
Special reports	5	1	..
Conference reports	..	1	..
Measures pending on calendar	86	24	..
Measures introduced, total	1,146	2,479	3,625
Bills	967	2,040	..
Joint resolutions	17	46	..
Concurrent resolutions	30	141	..
Simple resolutions	132	252	..
Quorum calls	2	1	..
Yea-and-nay votes	115	87	..
Recorded votes	..	62	..
Bills vetoed	..	..	..
Vetoes overridden	..	..	..

*These figures include all measures reported, even if there was no accompanying report. A total of 64 reports have been filed in the Senate, a total of 67 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 4 through April 30, 2005

Civilian nominations, totaling 190, disposed of as follows:

Confirmed	2
Unconfirmed	137
Withdrawn	1

Other civilian nominations, totaling 994, disposed of as follows:

Confirmed	577
Unconfirmed	417

Air Force nominations, totaling 5,708, disposed of as follows:

Confirmed	5,212
Unconfirmed	496

Army nominations, totaling 2,488, disposed of as follows:

Confirmed	2,324
Unconfirmed	164

Navy nominations, totaling 485, disposed of as follows:

Confirmed	141
Unconfirmed	344

Marine Corps nominations, totaling 1,295, disposed of as follows:

Confirmed	1,285
Unconfirmed	10

Summary

Total nominations carried over from last session	0
Total nominations received this session	11,160
Total confirmed	9,591
Total unconfirmed	1,568
Total withdrawn	1
Total returned to the White House	0

Wednesday, May 4, 2005

Senate

Chamber Action

The Senate was not in session today. It will next meet on Monday, May 9, 2005, at 2 p.m.

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Measures Introduced: 47 public bills, H.R. 2066–2112; and; 6 resolutions, H. Con. Res. 144, and H. Res. 257, 259–262, were introduced. **Page 8650**

Additional Cosponsors: **Page 8653**

Reports Filed: Reports were filed today as follows:

H. Res. 258, waiving points of order against the conference report to accompany H.R. 1268, making Emergency Supplemental Appropriations for Defense, the Global War on Terror, and Tsunami Relief, for the fiscal year ending September 30, 2005 (H. Rept. 109–73). **Page 8650**

Speaker: Read a letter from the Speaker wherein he appointed Representative Gingrey to act as Speaker Pro Tempore for today. **Page 8555**

Chaplain: The prayer was offered today by Rev. M. Susan Peterson, Senior Pastor, Gloria Dei Lutheran Church in St. Paul, Minnesota. **Page 8555**

Suspensions—Proceedings Postponed: The House agreed to suspend the rules and pass the following measures:

Francis C. Goodpaster Post Office Building Designation Act: H.R. 1082, to designate the facility of the United States Postal Service located at 120 East Illinois Avenue in Vinita, Oklahoma, as the "Francis C. Goodpaster Post Office Building"; **Page 8559**

Honorable Judge George N. Leighton Post Office Building Designation Act: H.R. 1542, to designate the facility of the United States Postal Service located at 695 Pleasant Street in New Bedford, Massachusetts, as the "Honorable Judge George N. Leighton Post Office Building"; **Page 8560**

Calling on the Government of the Federal Republic of Nigeria to transfer Charles Ghankay Taylor to the Special Court for Sierra Leone: Debated yesterday, May 3: H. Con. Res. 127, calling on the Government of the Federal Republic of Nigeria to transfer Charles Ghankay Taylor, former President of the Republic of Liberia, to the Special Court for Sierra Leone to be tried for war crimes, crimes against humanity, and other serious violations of international humanitarian law, by a ⅔ yea-and-nay vote of 421 yeas to 1 nay, Roll No. 155; **Page 8591**

Recognizing the 60th anniversary of V–E Day and the Liberation of Western Bohemia: Debated yesterday, May 3: H. Res. 195, recognizing the 60th anniversary of Victory in Europe (V–E) Day and the Liberation of Western Bohemia, by a ⅔ yea-and-nay vote of 419 yeas and none voting "nay", Roll No. 156; and **Page 8591**

Agreed to amend the title so as to read: resolution recognizing the 60th anniversary of the Liberation of Western Bohemia by United States Armed Forces during World War II and the continued friendship between the people of the United States and the Czech Republic. **Page 8592**

Recognizing the 60th anniversary of V–E Day during WWII: Debated yesterday, May 3: H. Res. 233, amended, recognizing the 60th anniversary of Victory in Europe (V–E) Day during World War II, by a ⅔ yea-and-nay vote of 423 yeas with none voting "nay", Roll No. 158. **Page 8610**

Federal Deposit Insurance Reform Act of 2005: The House passed H.R. 1185, to reform the Federal deposit insurance system, by a yea-and-nay vote of 413 yeas to 10 nays, Roll No. 157. **Page 8592**

Agreed that the amendment in the nature of a substitute recommended by the Committee on Financial Services printed in the bill be considered as an original bill for the purpose of amendment. **Page 8609**

Rejected:

Rohrabacher amendment that sought to strike section 3 of the bill. **Page 8606**

Withdrawn:

Maloney amendment that was offered and subsequently withdrawn that would have changed some wording in section 3, regarding the definition of Standard Maximum Deposit Insurance amount; and add a new subparagraph regarding Conditions for Increased Deposit Insurance Coverage. **Page 8605**

Agreed that the Clerk be authorized to make technical and conforming changes in the engrossment of the bill. **Page 8611**

H. Res. 255, the rule providing for consideration of the bill was agreed to by voice vote. **Page 8561**

Vocational and Technical Education for the Future Act: The House passed H.R. 366, to amend the Carl D. Perkins Vocational and Technical Education Act of 1998 to strengthen and improve programs under that Act, by a recorded vote of 416 ayes to 9 noes, Roll No. 154. **Page 8568**

Rejected the George Miller (CA) motion to recommit the bill to the Committee on Education & the Workforce with instructions to report the bill back to the House forthwith with an amendment, by a yea-and-nay vote of 197 yeas to 224 nays, Roll No. 153. **Page 8588**

Agreed that the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce printed in the bill be considered as an original bill for the purpose of amendment. **Page 8577**

Agreed to:

Castle amendment (No. 1 printed in H. Rept. 109–69) that provides that funding for Tech-Prep activities are held harmless to the amount that was appropriated to the Tech-Prep in FY05 in order to reinforce the consolidation of the Tech-Prep program with the Basic State Grant program; **Page 8585**

Wu amendment (No. 2 printed in H. Rept. 109–69) that allows states to use funds designed to facilitate the transition of vocational and career education students into baccalaureate degree programs; and: **Page 8586**

Millender-McDonald amendment (No. 3 printed in H. Rept. 109–69) that provides that local funds may be used for programs that assist in the training of automotive technicians in diesel retrofitting, hybrid, hydrogen, and alternative fuel automotive technologies. **Page 8587**

H. Res. 254, the rule providing for consideration of the bill was agreed to by voice vote. **Page 8563**

Quorum Calls—Votes: Five yea-and-nay votes and one recorded vote developed during the proceedings today and appear on pages 8589–92 and 8609–10. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 9:50 p.m.

Committee Meetings

FEDERAL CROP INSURANCE PROGRAM

Committee on Agriculture: Subcommittee on General Farm Commodities and Risk Management, hearing to Review the Federal Crop Insurance Program. Testimony was heard from the following officials of the USDA: Keith Collins, Chief Economist and Chairman Federal Crop Insurance Corporation; and Ross J. Davidson, Jr. Administrator, Risk Management Agency; and public witnesses.

DEPARTMENT OF HOMELAND SECURITY FISCAL YEAR 2006 APPROPRIATIONS

Committee on Appropriations: Subcommittee on the Department of Homeland Security approved for full Committee action the Department of Homeland Security Appropriations for Fiscal Year 2006.

INTERIOR, ENVIRONMENT, AND RELATED AGENCIES FISCAL YEAR 2006 APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies approved for full Committee action the Interior, Environment, and Related Agencies Appropriations for Fiscal Year 2006.

SCIENCE, THE DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Science, The Departments of State, Justice, and Commerce, and Related Agencies continued appropriation hearings. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Ordered reported the following measures: H.R. 869, To amend the Controlled Substances Act to lift the patient limitation on prescribing drug addiction treatments by medical practitioners in group practices; H.R. 184, Controlled Substances Export Reform Act of 2005; H. Res. 169, Recognizing the importance of sun safety; H.R. 1812, Patient Navigator Outreach and Chronic Disease Prevention Act of 2005; and H. Res. 250, Supporting the goals and ideals of National Hepatitis B Awareness Week, 10 a.m., 2123 Rayburn.

FLU SEASON READINESS

Committee on Energy and Commerce: Held a hearing on the State of Readiness for the 2005–2006 Flu Season. Testimony was heard from the following officials of the Department of Health and Human Services: Julie Louise Gerberding, M.D., Director, Centers for Disease Control and Prevention; Bruce Gellin, M.D., Director, National Vaccine Program; and Jesse Goodman, Director, Center for Biologics Evaluation and Research, FDA.

ASSESSING DATA SECURITY

Committee on Financial Services: Held a hearing entitled "Assessing Data Security: Preventing Breaches and Protecting Sensitive Information." Testimony was heard from public witnesses.

TERRORIST FINANCING/MIDDLE EASTERN FINANCIAL INSTITUTIONS

Committee on Financial Services: Subcommittee on Oversight and Investigations and the Subcommittee on International Terrorism and Nonproliferation of the Committee on International Relations held a joint hearing entitled "Starving Terrorists of Money: The Role of Middle Eastern Financial Institutions." Testimony was heard from Stuart Levey, Under Secretary, Enforcement, Department of the Treasury; Paul Simons, Principal Deputy Assistant Secretary, Bureau for Economic and Business Affairs, Department of State; and public witnesses.

DEPARTMENT OF JUSTICE FINANCIAL MANAGEMENT CHALLENGES

Committee on Government Reform: Subcommittee on Government Management, Finance, and Accountability held a hearing entitled "Financial Management Challenges at the Department of Justice." Testimony was heard from the following officials of the Department of Justice: Paul R. Corts, Assistant Attorney General, Administration and Chief Financial Officer; and Glenn A. Fine, Inspector General.

OVERSIGHT—9/11 RECOMMENDATIONS IMPLEMENTATION ACT

Committee on International Relations: Subcommittee on the Middle East and Central Asia held a hearing on 9/11 Recommendations Implementation Act Oversight, Part 1—Oppressors vs. Reformers in the Middle East and Central Asia. Testimony was heard from the following officials of the Department of State: Michael G. Kozak, Acting Assistant Secretary, Bureau of Democracy, Human Rights and Labor; and J. Scott Carpenter, Deputy Assistant Secretary, Bureau of Near Eastern Affairs; and public witnesses.

OVERSIGHT—NEW JOBS IN RECESSION AND RECOVERY

Committee on the Judiciary, Subcommittee on Immigration, Border Security, and Claims held an oversight hearing New Jobs in Recession and Recovery: Who are Getting Them and Who are Not? Testimony was heard from public witnesses.

OVERSIGHT—NATIONAL PARK SYSTEM—PERSONAL WATERCRAFT USE

Committee on Resources: Subcommittee on National Parks held an oversight hearing on Personal Watercraft use in the National Park System. Testimony was heard from Representative Westmoreland; Paul Hoffman, Deputy Assistant Secretary, Fish, Wildlife and Parks, Department of the Interior; and public witnesses.

OVERSIGHT—RURAL ELECTRICITY—ENVIRONMENTAL ISSUES

Committee on Resources: Subcommittee on Water and Power held an oversight hearing entitled "Stabilizing Rural Electricity Service Through Common Sense Application of the Endangered Species Act." Testimony was heard from public witnesses.

CONFERENCE REPORT—EMERGENCY SUPPLEMENTAL APPROPRIATIONS FISCAL YEAR 2005

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 1268, making Emergency Supplemental Appropriations for Defense, the Global War on Terror, and Tsunami Relief, for the fiscal year ending September 30, 2005, and against its consideration. The rule provides that the conference report shall be considered as read. The rule authorizes the chairman of the Committee on the Judiciary to file a supplemental report to accompany H.R. 748. Testimony was heard from Chairman Lewis and Representative Peterson of Minnesota.

MISCELLANEOUS MEASURES

Committee on Science: Ordered reported the following bills: H.R. 921, Minority Serving Institution Digital and Wireless Technology Opportunity Act of 2005; H.R. 250, amended, Manufacturing Technology Competitiveness Act of 2005; and H.R. 1674, amended, United States Tsunami Warning and Education Act.

PUBLIC UTILITIES AND SMALL BUSINESS

Committee on Small Business: Held a hearing entitled "Anticompetitive Threats from Public Utilities: Are Small Businesses Losing Out?" Testimony was heard from public witnesses.

AVIATION TRUST FUND—FINANCIAL CONDITION

Committee on Transportation and Infrastructure: Subcommittee on Aviation held an oversight hearing entitled "Financial Condition of the Aviation Trust Fund: Are Reforms Needed?" Testimony was heard from the following officials of the Department of Transportation: Marion C. Blakey, Administrator, FAA; and Kenneth M. Mead, Inspector General; Gerald Dillingham, Director, Physical Infrastructure Issues, GAO; and public witnesses.

SERVICEMEMBERS MEASURES

Committee on Veterans' Affairs: Subcommittee on Economic Opportunity held a hearing on the following: H.R. 419, Hire Veterans Act of 2004; H.R. 2046, Servicemembers' Health Insurance Protection Act of 2005; Homeless Veterans Reintegration Program Reauthorization Act of 2005; and a measure To amend the Servicemembers Civil Relief Act to provide protection against double taxation for members of the Armed Forces absent from their residence or domicile solely by reason of compliance with military orders. Testimony was heard from Craig W. Duehring, Principal Deputy Assistant Secretary, Reserve Affairs, Department of Defense; John M. McWilliam, Deputy Assistant Secretary, Operations and Management, Veterans' Employment and Training Service, Department of Labor; Cynthia Bascetta, Director, Veterans' Health and Benefits Issues, GAO; T.P. O'Mahoney, Chairman, President's National Hire Veterans' Committee; and representatives of veterans organizations.

Joint Meetings

SUPPLEMENTAL APPROPRIATIONS ACT

Conferees on Tuesday, May 3, agreed to file a conference report on the Senate and House passed versions of H.R. 1268, making emergency supplemental appropriations for defense, the global war on terror, and tsunami relief, for the fiscal year ending September 30, 2005.

◆◆◆◆◆◆◆◆◆◆◆◆

Thursday, May 5, 2005

Senate

Chamber Action

The Senate was not in session today. It will next meet on Monday, May 9, 2005, at 2 p.m.

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Measures Introduced: 93 public bills, H.R. 2113–2205; and 9 resolutions, H.J. Res. 48; H. Con. Res. 145–147, and H. Res. 263–267 were introduced. **Page 8752**

Additional Cosponsors: **Page 8756**

Reports Filed: Reports were filed today as follows:

Supplemental report on H.R. 748, to amend title 18, United States Code, to prevent the transportation of minors in circumvention of certain laws relating to abortion (H. Rept. 109–51, Pt. 2); and

H.R. 1279, to amend title 18, United States Code, to reduce violent gang crime and protect law-abiding citizens and communities from violent criminals, amended (H. Rept. 109–74). **Page 8752**

Chaplain: The prayer was offered today by Rev. James Brinkerhoff, Campus Minister, Auburn University in Auburn, Alabama. **Page 8676**

Emergency Supplemental Wartime Appropriations Act: The House agreed to the conference report to accompany H.R. 1268, making Emergency Supplemental Appropriations for Defense, the Global War on Terror, and Tsunami Relief, for the fiscal year ending September 30, 2005, by a yea-and-nay vote of 368 yeas to 58 nays and one voting "present", Roll No. 161. **Page 8692**

Rejected the Obey motion to recommit the conference report to the committee of conference with instructions to the managers on the part of the House, by a yea-and-nay vote of 201 yeas to 225 nays, Roll No. 160. **Page 8724**

H. Res. 258, the rule providing for consideration of the conference report, was agreed to by voice vote, after agreeing to order the previous question by a yea-and-nay vote of 224 yeas to 196 nays, Roll No. 159. **Page 8680**

Point of Personal Privilege: Representative Nadler rose to a point of personal privilege and was recognized. **Page 8691**

Late Report: Agreed that the Committee on the Judiciary have until midnight tonight to file a report on H.R. 1279. **Page 8726**

National Hepatitis B Awareness Week: The House agreed to H. Res. 250, supporting the goals and ideals of National Hepatitis B Awareness Week. **Page 8727**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 12 noon on Monday, May 9, and further, that when the House adjourns on that day, it adjourn to meet at 12:30 p.m. on Tuesday, May 10 for Morning Hour debate. **Page 8728**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, May 11. **Page 8728**

Recognizing the life of Jimmy Winkfield and the contributions of other African American jockeys: The House agreed to H. Res. 231, recognizing and celebrating the life and accomplishments of the great African American jockey Jimmy "Wink" Winkfield and the significant contributions and excellence of other African American jockeys and trainers in the sport of horse racing and the history of the Kentucky Derby. **Page 8728**

Committee Election: The House agreed to H. Res. 264, electing Representative Nunes to the Committee on Ways and Means. **Page 8742**

Committee Resignation: Read a letter from Representative Nunes wherein he resigned from the Committees on Agriculture, Resources, and Veterans' Affairs. **Page 8742**

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings today and appear on pages 8690 and 8724–25. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 3:55 p.m.

Committee Meetings

IRAQI/VEHICLE ARMORING

Committee on Armed Services: Held a hearing on the status of Tactical Wheeled Vehicle Armoring Initiatives and Improvised Explosive Device (IED) Jammer Initiatives in Operation Iraqi Freedom. Testimony was heard from the following officials of the Department of Defense: BG Joseph L. Votel, USA, Director, Joint IED Defeat Task

Force, Office of the Secretary; BG Jeffrey A. Sorenson, USA, Deputy for Acquisition and Systems Management, Office of the Assistant Secretary of the Army (Acquisition, Logistics and Technology); BG William D. Catto, USMC, Commanding General, Marine Corps Systems Command; LTG James N. Mattis, USMC, former Commander, First Marine Division, Commanding General, Marine Corps Combat Development Command, U.S. Marine Corps; and LTC Paul J. Kennedy, USMC, former battalion commander, 2nd Battalion, 4th Marine Regiment, First Marine Division, Headquarters Battalion, First Marine Division; and Steven J. DeTeresa, Engineer, Lawrence Livermore National Laboratory.

COLLEGE CREDIT MOBILITY

Committee on Education and the Workforce: Subcommittee on 21st Century Competitiveness held a hearing entitled "College Credit Mobility: Can Transfer Credit Policies be Improved?" Testimony was heard from Theresa Klebacha, Director, Strategic Initiatives, Department of Education, State of Florida; and public witnesses.

LOS ALAMOS NATIONAL LABORATORY MANAGEMENT ISSUES

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing to Review Ongoing Management Concerns at Los Alamos National Laboratory. Testimony was heard from the following officials of the Department of Energy: Gregory Friedman, Inspector General; Michael Kilpatrick, Director of Independent Oversight, Office of Security and Safety Performance Assurance; and Jerry Paul, Principal Deputy Administrator, National Nuclear Security Administration; and A.J. Eggenberger, Acting Chairman, Defense Nuclear Facilities Safety Board.

SOCIAL SECURITY REFORM

Committee on Financial Services: Subcommittee on Domestic and International Monetary Policy, Trade, and Technology held a hearing entitled "Social Security Reform: Successes and Lessons Learned." Testimony was heard from Gary Amelio, Executive Director, Federal Retirement Thrift Investment Board; Patrick Purcell, Specialist in Social Legislation, CRS, Library of Congress; and public witnesses.

MISCELLANEOUS MEASURES; DRUG SAFETY

Committee on Government Reform: Ordered reported the following measrues: H.R. 627, To designate the facility of the United States Postal Service located at 40 Putnam Avenue in Hamden, Connecticut, as the "Linda White-Epps Post Office"; H.R. 1760, To designate the facility of the United States Postal Service located at 215 Martin Luther King, Jr., Boulevard in Madison, Wisconsin, as the "Robert M. La Follete, Sr., Post Office Building"; and H. Res. 231, Recognizing and celebrating the life and accomplishments of the great African American jockey Jimmy "Wink" Winkfield and the significant contributions and excellence of other African American jockeys and trainers in the sport of horse racing and the history of the Kentucky Derby; H. Res. 185, Honoring Johnnie Cochran, Jr., for his service to the Nation, and expressing condolences to his family, friends, colleagues, and admirers on his death; and H.R. 2066, amended, General Services Administration Modernization Act.

The Committee also held a hearing entitled "Risk and Responsibility: The Roles of FDA and Pharmaceutical Companies in Ensuring the Safety of Approved Drugs, Like Vioxx." Testimony was heard from Steven Galson, M.D., Director, Center for Drug Evaluation and Research, FDA, Department of Health and Human Services; and public witnesses.

DEMOCRACY THROUGH DIPLOMACY

Committee on International Relations: Held a hearing on Promoting Democracy through Diplomacy. Testimony was heard from Representative Wolf; Paula Dobriansky, Under Secretary, Global Affairs, Department of State; and public witnesses.

ETHIOPIA AND ERITREA

Committee on International Relations: Subcommittee on Africa, Global Human Rights and International Operations held a hearing on Ethiopia and Eritrea: Promoting Stability, Democracy and Human Rights. Testimony was heard from Don Yamamoto, Deputy Assistant Secretary, Bureau of African Affairs, Department of State; and public witnesses.

OVERSIGHT—USA PATRIOT ACT IMPLEMENTATION

Committee on the Judiciary: Subcommittee on Crime, Terrorism and the Committee on Homeland Security held an oversight hearing on the Implementation of the USA PATRIOT Act: Section 212–Emergency Disclosure of Electronic Communications to Life and Limb. Testimony was heard from the following officials of the Department of Justice: William Moschella, Assistant Attorney General; and Willie T. Hulon, Assistant Director, Counterterrorism Division, FBI; and public witnesses.

OVERSIGHT—IMMIGRATION ENFORCEMENT AGENCIES

Committee on the Judiciary: Subcommittee on Immigration, Border Security and Claims held an oversight hearing entitled "New 'Dual Missions' of the Immigration Enforcement Agencies." Testimony was heard from Richard Stana, Director, Homeland Security and Justice Issues, GAO; Janice Kephart, former September 11 Commission Staff Counsel; and public witnesses.

OVERSIGHT—VETERANS' APPEALS

Committee on Veterans' Affairs: Subcommittee on Disability Assistance and Memorial Affairs held an oversight hearing to review the operations of the Board of Veterans' Appeals (BVA) and the Appeals Management Center (AMC). Testimony was heard from the following officials of the Department of Veterans Affairs: Ron Garvin, Acting Chairman, Board of Veterans' Appeals; and Michael Walcoff, Associate Deputy Under Secretary, Field Operations, Veterans Benefits Administration; Cynthia Bascetta, Director, Education, Workforce and Income Security, GAO; and representatives of veterans organizations.

SERVICEMEMBERS' HEALTH INSURANCE PROTECTION ACT OF 2005

Committee on Veterans' Affairs: Subcommittee on Economic Opportunity approved for full Committee action H.R. 2046, Servicemembers' Health Insurance Protection Act of 2005.

Joint Meetings

Joint Economic Committee: to hold hearings to examine the employment-unemployment situation for April 2005, 9:30 a.m., 1334 LHOB.

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Monday, May 9, 2005

Senate

Chamber Action

Routine Proceedings, pages *8785–8977*

Measures Introduced: Seven bills and two resolutions were introduced, as follows: S. 977–983, and S. Res. 133–134. **Page 8821**

Measures Passed:

National Cystic Fibrosis Month: Committee on the Judiciary was discharged from further consideration of S. Res 115, designating May 2005 as "National Cystic Fibrosis Awareness Month;" and the resolution was then agreed to. **Page 8969**

Professional Boxing Amendments Act: Senate passed S. 148, to establish a United States Boxing Commission to administer the Act. **Page 8969**

Transportation Equity Act: Senate resumed consideration of H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, taking action on the following amendments proposed thereto: **Page 8788**

Adopted:

By a unanimous vote of 89 yeas (Vote No. 116), Talent/Dodd Amendment No. 600 (to Amendment No. 567), to require notice regarding the criteria for small business concerns to participate in Federally-funded projects. **Page 8810**

Withdrawn:

Salazar Amendment No. 581 (to Amendment No. 567), to modify the percentage of apportioned funds that may be used to address needs relating to off-system bridges. **Page 8810**

Inhofe Amendment No. 567, to provide a complete substitute. **Page 8814**

Pending:

Inhofe Amendment No. 605, to provide a complete substitute. **Pages 8788, 8814**

Senate will continue consideration of the bill on Tuesday, May 10, 2005.

Emergency Supplemental Appropriations Act Conference Report: A unanimous-consent agreement was reached providing for the consideration of the conference report to accompany H.R. 1268, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, at approximately 10:45 a.m., on Tuesday, May 10, 2005. **Page 8975**

Nominations Received: Senate received the following nominations:

Rodney E. Hood, of North Carolina, to be a Member of the National Credit Union Administration Board for a term expiring April 10, 2009.

John J. Sullivan, of Maryland, to be General Counsel of the Department of Commerce.

Jill L. Sigal, of Wyoming, to be Assistant Secretary of Energy (Congressional and Intergovernmental Affairs).

R. Thomas Weimer, of Colorado, to be an Assistant Secretary of the Interior.

James M. Derham, of Virginia, to be Ambassador to the Republic of Guatemala.

Robert Johann Dieter, of Colorado, to be Ambassador to Belize.

Zalmay Khalilzad, of Maryland, to be Ambassador to Iraq.

Rodolphe M. Vallee, of Vermont, to be Ambassador to the Slovak Republic.

James Philip Terry, of Virginia, to be Chairman of the Board of Veterans' Appeals for a term of six years.

25 Air Force nominations in the rank of general.

1 Army nomination in the rank of general.

1 Marine Corps nomination in the rank of general.

25 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Foreign Service. **Page 8975**

Messages From the House: **Page 8819**

Measures Referred: **Page 8820**

Measures Placed on Calendar: **Page 8820**

Measures Read First Time: **Page 8820**

Executive Communications: **Page 8820**

Additional Cosponsors: **Page 8821**

Statements on Introduced Bills/Resolutions: Page 8823

Additional Statements: Page 8818

Amendments Submitted: Page 8828

Privilege of the Floor: Page 8968

Record Votes: One record vote was taken today. (Total—116) Page 8812

Adjournment: Senate convened at 2 p.m. and adjourned at 7:10 p.m. until 9:45 a.m., on Tuesday, May 10, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 8975.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Measures Introduced: 1 public bill, H.R. 2206 was introduced. Page 8784

Additional Cosponsors: Page 8784

Reports Filed: No reports were filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Wolf to act as speaker pro tempore for today. Page 8783

Chaplain: The prayer was offered today by Dr. Barry C. Black, Chaplain, United States Senate. Page 8783

Helping to Enhance the Livelihood of People Around the Globe Commission—Appointment: The Chair announced the Speaker's appointment of the following individuals to the Helping to Enhance the Livelihood of People (HELP) Around the Globe Commission: Mr. Robert H. Michel, Washington, DC; Mrs. Jennifer Dunn, Virginia; Mr. William C. Lane, Virginia; and Mr. Nicolas Eberstadt, Virginia. Page 8783

Quorum Calls—Votes: There were no votes or quorum calls.

Adjournment: The House met at 12 p.m. and adjourned at 12:03 p.m.

Committee Meetings

No committee meetings were held.

Joint Meetings

EMPLOYMENT

Joint Economic Committee: On Friday, May 6, Committee concluded hearings to examine the employment-unemployment situation for April 2005, after receiving testimony from Kathleen P. Utgoff, Commissioner, Bureau of Labor Statistics, Department of Labor.

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Tuesday, May 10, 2005

Senate

Chamber Action

Routine Proceedings, pages 8983–9074

Measures Introduced: Ten bills and three resolutions were introduced, as follows: S. 984–993, S.J. Res. 18, S. Res. 135, and S. Con. Res. 31. Page 9057

Measures Reported:

Report to accompany S. 250, to amend the Carl D. Perkins Vocational and Technical Education Act of 1998 to improve the Act. (S. Rept. No. 109–65) Page 9057

Measures Passed:

Enrollment Correction: Senate agreed to S. Con. Res. 31, to correct the enrollment of H.R. 1268. Pages 9036, 9068

Annual Letter Carriers Food Drive: Committee on the Judiciary was discharged from further consideration of S. Res. 133, recognizing the 13th Annual National Association of Letter Carriers Food Drive, and the resolution was then agreed to. Page 9072

Congratulating National Asphalt Pavement Association: Senate agreed to S. Res. 135, congratulating the National Asphalt Pavement Association on its 50th anniversary and recognizing the contributions of members of the Association to the United States. Pages 9073

Honoring Tuskegee Airmen: Committee on Armed Services was discharged from further consideration of H. Con. Res. 26, honoring the Tuskegee Airmen for their bravery in fighting for our freedom in World War II, and for their contribution in creating an integrated United States Air Force, and the resolution was then agreed to. Page 9073

Relative to Former Liberia President Charles Ghankay Taylor: Senate agreed to H. Con. Res. 127, calling on the Government of the Federal Republic of Nigeria to transfer Charles Ghankay Taylor, former President of the Republic of Liberia, to the Special Court for Sierra Leone to be tried for war crimes, crimes against humanity, and other serious violations of international humanitarian law. Page 9073

Transportation Equity Act: Senate continued consideration of H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, taking action on the following amendments proposed thereto: **Page 9037**

Adopted:

Hutchison Amendment No. 617 (to Amendment No. 605), to limit the number of facilities at which the Secretary may collect tolls in the State of Virginia. **Page 9043**

Pending:

Inhofe Amendment No. 605, to provide a complete substitute. **Page 9037**

A motion was entered to close further debate on Inhofe Amendment No. 605 (listed above) and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, May 12, 2005. **Page 9042**

A motion was entered to close further debate on the bill and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, May 12, 2005. **Page 9042**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m. on Wednesday, May 11, 2005. **Page 9074**

Emergency Supplemental Appropriations Act—Conference Report: By a unanimous vote of 100 yeas (Vote No. 117), Senate agreed to the conference report to accompany H.R. 1268, making Emergency Supplemental Appropriations for Defense, the Global War on Terror, and Tsunami Relief, for the fiscal year ending September 30, 2005, clearing the measure for the President. **Page 8992**

Messages From the House: **Page 9056**

Measures Referred: **Page 9056**

Measures Read First Time: **Page 9056**

Executive Communications: **Page 9056**

Additional Cosponsors: **Page 9058**

Statements on Introduced Bills/Resolutions: **Page 9060**

Additional Statements: **Page 9054**

Amendments Submitted: **Page 9069**

Notices of Hearings/Meetings: **Page 9072**

Authority for Committees to Meet: **Page 9072**

Privilege of the Floor: **Page 9072**

Record Votes: One record vote was taken today. (Total—117) **Page 9036**

Adjournment: Senate convened at 9:45 a.m. and adjourned at 8:24 p.m. until 9:30 a.m., on Wednesday, May 11, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 9074.)

Committee Meetings

APPROPRIATIONS: DEFENSE MEDICAL HEALTH PROGRAM

Committee on Appropriations: Subcommittee on Defense concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the Defense Medical Health Program, after receiving testimony from Lieutenant General Kevin C. Kiley, Surgeon General of the Army; Vice Admiral Donald C. Arthur, Surgeon General of the Navy; Lieutenant General George Peach Taylor, Jr., Surgeon General of the Air Force; Colonel Barbara J. Bruno, Deputy Chief, Army Nurse Corps; Rear Admiral Nancy J. Lescavage, Director, Navy Nurse Corps; and Major General Barbara C. Brannon, Assistant Air Force Surgeon General for Nursing Services.

AUTHORIZATION—DEFENSE

Committee on Armed Services: Subcommittee on SeaPower met in closed session and approved for full committee consideration, those provisions which fall within the jurisdiction of the subcommittee, of the proposed National Defense Authorization Act for fiscal year 2006.

AUTHORIZATION—DEFENSE

Committee on Armed Services: Subcommittee on Airland met in closed session and approved for full committee consideration, those provisions which fall within the jurisdiction of the subcommittee, of the proposed National Defense Authorization Act for fiscal year 2006.

AUTHORIZATION—DEFENSE

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities met in closed session and approved for full committee consideration, those provisions which fall within the jurisdiction of the subcommittee, of the proposed National Defense Authorization Act for fiscal year 2006.

IDENTITY THEFT

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine issues relating to identity theft and fraud, focusing on data broker services and the treatment of such services under existing State and Federal privacy laws, consumer protection, and challenges in securing electronic data, after receiving testimony from Kurt P. Sanford, LexisNexis, Miamisburg, Ohio; Douglas C. Curling, ChoicePoint, Inc., Alpharetta, Georgia; Jennifer T. Barrett, Acxiom Corporation, Little Rock, Arkansas; Paul B. Kurtz, Cyber Security Industry Alliance, Arlington, Virginia; Marc Rotenberg, Electronic Privacy Information Center, and Mari J. Frank, Mari J. Frank and Associates, Laguna Niguel, California.

NATIONAL PARK SERVICE

Committee on Energy and Natural Resources: Subcommittee on National Parks concluded a hearing to examine the

National Park Service's funding needs for administration and management of the national park system, after receiving testimony from Fran P. Mainella, Director, National Park Service, Department of the Interior; Greg Moore, Golden Gate National Parks Conservancy, San Francisco, California; Robert Arnberger, The Coalition of National Park Service Retirees, Tucson, Arizona; and Lee Werst, Association of National Park Rangers, Orem, Utah.

OSHA AND SMALL BUSINESS

Committee on Health, Education, Labor, and Pensions: Subcommittee on Employment and Workplace Safety concluded a hearing to examine ways to improve the relationship between OSHA and small business, focusing on OSHA rules and regulations to protect the health and safety of small business employees, after receiving testimony from Jerrold Dodd, Dayton United Metal Spinners, Inc., Dayton, Ohio, on behalf of the National Association of Manufacturers; Arthur G. Sapper, McDermott, Will and Emery, LLP, on behalf of the U.S. Chamber of Commerce, and Lynn Rhinehart, AFL–CIO, both of Washington, D.C.; and Roy Swindal, Bessemer, Alabama.

USA PATRIOT ACT

Committee on the Judiciary: Committee concluded an oversight hearing to examine the implementation of the USA PATRIOT Act (Public Law 107–56), focusing on civil liberties, national security versus domestic policing, and business records, after receiving testimony from Senators Craig and Durbin; former Representative Bob Barr, Liberty Strategies, LLC, Atlanta, Georgia, on behalf of the Patriots to Restore Checks and Balances; David Cole, Georgetown University Law Center, James X. Dempsey, Center for Democracy and Technology, Andrew C. McCarthy, The Foundation for the Defense of Democracies, and Suzanne E. Spaulding, The Harbour Group, LLC, all of Washington, D.C.; Daniel P. Collins, Munger, Tolles, and Olsen, LLP, Los Angeles, California.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

House of Representatives

Chamber Action

Measures Introduced: 40 public bills, H.R. 2207–2246; 1 private bill, H.R. 2247; and; 2 resolutions, H. Con. Res. 148, and H. Res. 270 were introduced. **Page 9128**

Additional Cosponsors: **Page 9129**

Reports Filed: Reports were filed today as follows:

H.R. 1037, to make technical corrections to title 17, United States Code (H. Rept. 109–75);

H. Res. 268, providing for consideration of H.R. 1279 to amend title 18, United States Code, to reduce violent gang crime and protect law-abiding citizens and communities from violent criminals, and for other purposes (H. Rept. 109–76); and

H. Res. 269, providing for consideration of H.R. 1544 to provide faster and smarter funding for first responders, and for other purposes. (H. Rept. 109–77). **Page 9128**

Recess: The House recessed at 12:47 p.m. and reconvened at 2 p.m. **Page 9076**

Capitol Preservation Commission—Appointment: Read a letter from Representative Ney, Chairman of the Joint Committee on the Library, wherein he designated Representative Mica to serve on the Capitol Preservation Commission, as provided for in Public Law 101–696 Section 801. **Page 9079**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Charles "Pete" Conrad Astronomy Awards Act: H.R. 1023, to authorize the Administrator of the National Aeronautics and Space Administration to establish an awards program in honor of Charles "Pete" Conrad, astronaut and space scientist, for recognizing the discoveries made by amateur astronomers of asteroids with near-Earth orbit trajectories; **Page 9079**

Expressing support to the organizers and participants of the Assembly to Promote the Civil Society in Cuba on May 20, 2005: H. Res. 193, expressing support to the organizers and participants of the historic meeting of the Assembly to Promote the Civil Society in Cuba on May 20, 2005, in Havana, by a ⅔ yea-and-nay vote of 392 yeas to 22 nays with one voting "present", Roll No. 162; **Pages 9082, 9100**

Supporting the goals and ideals of a "Rotary International Day": H. Res. 142, supporting the goals and ideals of a "Rotary International Day" and celebrating and honoring Rotary International on the occasion of its centennial anniversary, by a ⅔ yea-and-nay vote of 413 yeas with none voting "nay", Roll No. 163; **Pages 9085, 9101**

Authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby: H. Con. Res. 86, authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby; **Page 9090**

Authorizing the use of the Capitol Grounds for the D.C. Special Olympics Law Enforcement Torch Run: H. Con. Res. 135, authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run; and **Page 9091**

Authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service: H. Con. Res.

136, authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service. **Page 9092**

Recess: The House recessed at 3:44 p.m. and reconvened at 5:40 p.m. **Page 9094**

Point of Personal Privilege: Representative Jackson-Lee rose to a point of personal privilege and was recognized. **Page 9094**

Senate Message: Message received from the Senate today appears on pages 9077 and 9114.

Senate Referral: S. 148 was referred to the Committee on Education and the Workforce and the Committee on Energy and Commerce; S. Con. Res. 31 was held at the desk. **Page 9127**

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings today and appear on pages 9100–01. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 10:52 p.m.

Committee Meetings

DEPARTMENT OF HOMELAND SECURITY AND THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS FOR FISCAL YEAR 2006; SUBALLOCATION OF BUDGET ALLOCATIONS FOR FISCAL YEAR 2006

Committee on Appropriations: Ordered reported the following appropriations for fiscal year 2006: The Department of Homeland Security; and the Interior, Environment, and Related Agencies.

The Committee also approved the Suballocation of Budget Allocations for Fiscal Year 2006.

TRANSPORTATION, TREASURY, HUD, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and Independent Agencies held a hearing on the Federal Highway Administration and the FAA. Testimony was heard from the following officials of the Department of Transportation: Mary E. Peters, Administrator, Federal Highway Administration; and Marion C. Blakey, Administrator, FAA.

MUTUAL FUNDS REGULATIONS

Committee on Financial Services: Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises held a hearing entitled "Mutual Funds: A Review of the Regulatory Landscape." Testimony was heard from Meyer Eisenberg, Acting Director, Division of Investment Management, SEC; and public witnesses.

DOD COUNTERNARCOTICS BUDGET

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing entitled "2006 DoD Counternarcotics Budget: Does it Deliver the Necessary Support?" Testimony was heard from the following officials of the Department of Defense: Marybeth Long, Deputy Assistant Secretary, Special Operations and Low Intensity Conflict; COL. John D. Nelson, USA, Director, Plans, Joint Task Force North, U.S. Northern Command; CAPT. Edmund Turner, USN, Deputy Director, Current Operations, U.S. Southern Command; and CAPT. Jim Stahlman, USN, Assistant Operations Officer, U.S. Central Command; and Lennard Wolfson, Assistant Deputy Director, Office of Supply Reduction, Office of National Drug Control Policy.

CENSUS DATA—PUBLIC POLICY AND URBAN AMERICA

Committee on Government Reform: Subcommittee on Federalism and the Census, hearing entitled "Life in the Big City: What is Census Data Telling Us About Urban America and are Policymakers Listening?" Testimony was heard from Charles Louis Kincannon, Director, Bureau of the Census, Department of Commerce; Thomas M. Dowd, Deputy Assistant Secretary, Employment and Training Administration, Department of Labor; Mitchell Silver, Deputy Director, Long Range Planning, Office of Planning, District of Columbia; and public witnesses.

OVERSEAS SECURITY

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations held a hearing entitled "Overseas Security: Hardening Soft Targets." Testimony was heard from Jess Ford, Director, International Affairs and Trade Division, GAO; the following officials of the Department of State: Greg Starr, Deputy Assistant Secretary, Countermeasures, Bureau of Diplomatic Security and Foreign Missions; Ambassador Prudence Bushnell, Dean, School of Leadership and Management, The George P. Shultz, National Foreign Affairs Training Center; and Keith Miller, Director, Office of Overseas Schools; and public witnesses.

OVERSIGHT—USA PATRIOT ACT IMPLEMENTATION

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held an oversight hearing on the Implementation of the USA PATRIOT Act: Prohibition of Material Support under Sections 805 of the USA PATRIOT Act and 6603 of the Intelligence Reform and Terrorism Prevention Act of 2004. Testimony was heard from the following officials of the Department of Justice: Glenn A. Fine, Inspector General; Gregory Katsas, Deputy Assistant Attorney General; and Barry Sabin, Chief, Counterterrorism Section for the Criminal Division; and a public witness.

FASTER AND SMARTER FUNDING FOR FIRST RESPONDERS ACT

Committee on Rules: The Committee granted, by voice vote, a structured rule providing one hour of general debate on H.R. 1544, Faster and Smarter Funding for First Responders Act, equally divided and controlled by the chairman and ranking minority member of the Committee on Homeland Security. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Homeland Security now printed in the bill shall be considered as an original bill for the purpose of amendment. The rule waives all points of order against the amendment in the nature of a substitute recommended by the Committee on Homeland Security. The rule makes in orderly only those amendments printed in the Rules Committee report accompanying the resolution. The rule provides that the amendments printed in the report may be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Cox and Representatives Bass, Thompson of Mississippi, and Cuellar.

GANG DETERRENCE AND COMMUNITY PROTECTION ACT

Committee on Rules: The Committee granted, by voice vote, a structured rule providing one hour of general debate on H.R. 1279, Gang Deterrence and Community Protection Act, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as an original bill for the purpose of amendment. The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. The rule provides that the amendments printed in the report may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Forbes, Scott of Virginia, Jackson-Lee of Texas, Waters, Crowley, Watson, Cardoza and Cuellar.

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Wednesday, May 11, 2005

Senate

Chamber Action

Routine Proceedings, pages 9234–9357

Measures Introduced: Fourteen bills were introduced, as follows: S. 994–1007. **Page 9285**

Measures Reported:

S. 285, to reauthorize the Children's Hospitals Graduate Medical Education Program, with an amendment in the nature of a substitute. (S. Rept. No. 109–66) **Page 9285**

Transportation Equity Act: Senate continued consideration of H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, taking action on the following amendments proposed thereto: **Pages 9243–9254**

Adopted:

Inhofe (for Talent) Amendment No. 742 (to Amendment No. 605), to require notice regarding the criteria for small business concerns to participate in Federally-funded projects. **Page 9278**

Rejected:

Corzine/Lautenberg Amendment No. 606 (to Amendment No. 605), to establish the effect of a section of the United States Code relating to the letting of contracts on individual contributions to political campaigns, and to require the Secretary of Transportation to consider State laws that limit political contributions to be in accordance with competitive procurement requirements. (By 57 yeas to 40 nays (Vote No. 119), Senate tabled the amendment.) **Page 9254**

By 28 yeas to 69 nays (Vote No. 120), Lautenberg/Dodd Amendment No. 625 (to Amendment No. 605), to provide funding for motorcycle safety programs in States without universal helmet laws. **Page 9263**

By 44 yeas to 53 nays (Vote No. 121), Harkin Modified Amendment No. 618 (to Amendment No. 605), to improve the safety of nonmotorized transportation, including bicycle and pedestrian safety. **Page 9268**

Pending:

Inhofe Amendment No. 605, to provide a complete substitute. **Page 9243**

Dorgan Amendment No. 652 (to Amendment No. 605), to provide for the conduct of an investigation to determine whether market manipulation is contributing to higher gasoline prices. **Page 9266**

Nelson (FL) (for Feingold) Amendment No. 610 (to Amendment No. 605), to improve the accuracy and efficacy of identity authentication systems and ensure privacy and security. **Page 9277**

During consideration of this measure today, Senate also took the following action:

By 76 yeas to 22 nays (Vote No. 118), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Inhofe Amendment No. 605 (listed above). The point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974 was not sustained. **Page 9243**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m. on Thursday, May 12, 2005, with 60 minutes of debate, followed by a vote on the motion to invoke cloture on Inhofe Amendment No. 605 (listed above). **Page 9357**

A unanimous-consent agreement was reached providing that Members have until 10:30 a.m. to file second-degree amendments. **Page 9357**

Nominations Confirmed: Senate confirmed the following nomination:

Maria Cino, of Virginia, to be Deputy Secretary of Transportation. **Pages 9356, 9357**

Nominations Received: Senate received the following nominations:

Mark A. Limbaugh, of Idaho, to be an Assistant Secretary of the Interior.

Pamela E. Bridgewater, of Virginia, to be Ambassador to the Republic of Ghana.

William Alan Eaton, of Virginia, to be Ambassador to the Republic of Panama.

Henrietta Holsman Fore, of Nevada, to be an Under Secretary of State (Management). **Page 9357**

Messages From the House: **Page 9283**

Measures Referred: **Page 9283**

Measures Placed on Calendar: **Page 9284**

Executive Communications: **Page 9284**

Additional Cosponsors: **Page 9285**

Statements on Introduced Bills/Resolutions: **Page 9287**

Additional Statements: **Page 9281**

Amendments Submitted: **Page 9308**

Authority for Committees to Meet: **Page 9356**

Record Votes: Four record votes were taken today. (Total—121) **Pages 9250, 9262, 9276, 9277**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 6:58 p.m. until 9:30 a.m., on Thursday, May 12, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 9357.)

Committee Meetings

GYNECOLOGICAL CANCER EDUCATION

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Agencies concluded a hearing to examine the Gynecologic Cancer Education and Awareness Act of 2003, to provide for programs to increase the awareness and knowledge of women and health care providers with respect to gynecologic cancers, after receiving testimony from Andrew C. von Eschenbach, Director, National Cancer Institute, National Institutes of Health, Department of Health and Human Services; Sheryl Silver, Johanna's Law Foundation, Bloomfield Hills, Illinois; and Fran Drescher, Los Angeles, California.

LOU GEHRIG'S DISEASE

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Agencies concluded a hearing to examine new approaches to understand and treat ALS (Lou Gehrig's Disease), after receiving testimony from Story C. Landis, Director, National Institute of Neurological Disorders and Stroke, National Institutes of Health, Department of Health and Human Services; Lucie Bruijn, The ALS Association, Calabasas Hills, California; Rob Boresellino, The Des Moines Register, Des Moines, Iowa; Eric Obermann, Huntsville, Alabama; Tommy John, Charlotte, North Carolina; David Cone, New York, New York; and Kate Linder, Los Angeles, California.

APPROPRIATIONS: MISSILE DEFENSE PROGRAM

Committee on Appropriations: Subcommittee on Defense concluded a hearing to examine the proposed budget estimates for fiscal year 2006 for the Missile Defense Program, after receiving testimony from Lieutenant General Henry A. Obering III, Director of the Missile Defense Agency, Department of Defense; and General James E. Cartwright, USMC, Commander, United States Strategic Command.

GPO/CBO/OFFICE OF COMPLIANCE

Committee on Appropriations: Subcommittee on Legislative Branch concluded a hearing to examine proposed budget estimates for fiscal year 2006, after receiving testimony in behalf of funds for their respective activities from Bruce R. James, Public Printer, Government Printing Office; Douglas Holtz-Eakin, Director, Congressional Budget Office; and William W. Thompson III, Executive Director, and Susan S. Robfogel, Chair of the Board of Directors, both of the Office of Compliance.

AUTHORIZATION—DEFENSE

Committee on Armed Services: Subcommittee on Strategic Forces met in closed session and approved for full committee consideration, those provisions which fall within the jurisdiction of the subcommittee, of the proposed National Defense Authorization Act for fiscal year 2006.

AUTHORIZATION—DEFENSE

Committee on Armed Services: Subcommittee on Personnel met in closed session and approved for full committee consideration, those provisions which fall within the jurisdiction of the subcommittee, of the proposed National Defense Authorization Act for fiscal year 2006.

AUTHORIZATION—DEFENSE

Committee on Armed Services: Subcommittee on Readiness and Management Support met in closed session and approved for full committee consideration, those provisions which fall within the jurisdiction of the subcommittee, of the proposed National Defense Authorization Act for fiscal year 2006.

AUTHORIZATION—DEFENSE

Committee on Armed Services: Subcommittee on Airland continued in closed session and approved for full committee consideration, those provisions which fall within the jurisdiction of the subcommittee, of the proposed National Defense Authorization Act for fiscal year 2006.

AUTHORIZATION—DEFENSE

Committee on Armed Services: Committee met in closed session to mark up the proposed National Defense Authorization Act for Fiscal Year 2006, but did not complete action thereon, and will meet again tomorrow.

SPYWARE

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine issues relating to spyware, focusing on spyware's ability to access a user's machine without informed consent for financial gain that threatens the viability of the Internet as a commerce, entertainment, communications and educational tool, after receiving testimony from Senator Wyden; Trevor Hughes, Network Advertising Initiative, York, Maine; C. David Moll, Webroot Software, Inc., Boulder, Colorado; and Ari Schwartz, Center for Democracy and Technology, Washington, D.C.

RURAL WATER SUPPLY ACT

Committee on Energy and Natural Resources: Committee concluded a hearing to examine S. 895, to direct the Secretary of the Interior to establish a rural water supply program in the Reclamation States to provide a clean, safe, affordable, and reliable water supply to rural residents, after receiving testimony from John W. Keys III, Commissioner, Bureau of Reclamation, Department of the Interior; Mayor David Lansford, Clovis, New Mexico, on behalf of the Eastern New Mexico Rural Water Association; Jim T. Dunlap, Upper La Plata Water Users, Farmington, New Mexico, on behalf of the National Rural Water Association, and the New Mexico Rural Water Association; Harold Frazier, Cheyenne River Sioux Tribe, Eagle Butte, South Dakota; and Duane A. Smith, Oklahoma Water Resources Board, Oklahoma City, on behalf of the Western States Water Council.

LANDS BILLS

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests concluded a hearing to examine S. 100, to authorize the exchange of certain land in the State of Colorado, S. 235 and H.R. 816, bills to direct the Secretary of Agriculture to sell certain parcels of Federal land in Carson City and Douglas County, Nevada, S. 404, to make a technical correction relating to the land conveyance authorized by Public Law 108-67, S. 741, to provide for the disposal of certain Forest Service administrative sites in the State of Oregon, S. 761, to rename the Snake River Birds of Prey National Conservation Area in the State of Idaho as the Morley Nelson Snake River Birds of Prey National Conservation Area in honor of the late Morley Nelson, an international authority on birds of prey, who was instrumental in the establishment of this National Conservation Area, and H.R 486, to provide for a land exchange involving private land and Bureau of Land Management land in the vicinity of Holloman Air Force Base, New Mexico, for the purpose of removing private land from the required safety zone surrounding munitions storage bunkers at Holloman Air Force Base, after receiving testimony from Joel Holtrip, Deputy Chief for National Forest System, and Greg Smith, Director of Lands, both of the U.S. Forest System, Department of Agriculture; and Thomas P. Lonnie, Assistant Director, Minerals, Realty and Resource Protection, Bureau of Land Management, Department of the Interior.

U.S.-EUROPEAN UNION REGULATORY COOPERATION

Committee on Foreign Relations: Subcommittee on European Affairs concluded a hearing to examine the United States-European Union regulatory cooperation on emerging technologies, focusing on nanotechnology, European collection societies, and information technology accessibility for the disabled, after receiving testimony from Harris N. Miller, Information Technology Association of America, Arlington, Virginia; Frederick C. Klaessig, Degussa Corporation, Piscataway, New Jersey, on behalf of the American Chemistry Council; Frances W. West, IBM Corporation, Cambridge, Massachusetts, and Stephen F. Harper, Intel Corporation, Washington, D.C., both on behalf of the European-American Business Council; Thomas B. Patton, Philips Electronics North America Corporation, John D. Hassell, Hewlett-Packard Company, and Joseph

E. Duffy, SAP Public Services, Inc., all of Washington, D.C.

BIOLOGICAL THREATS

Committee on Health, Education, Labor, and Pensions: Subcommittee on Bioterrorism and Public Health Preparedness concluded a hearing to examine 21st century biological threats, focusing on dual-purpose preparedness against natural and deliberate microbial threats, after receiving testimony from John Deutch, Massachusetts Institute of Technology, Cambridge, former Director of Central Intelligence, and former Deputy Secretary of Defense; J. Craig Venter, J. Craig Venter Institute, Rockville, Maryland; Guenael R. Rodier, World Health Organization, United Nations, New York, New York; and Harvey V. Fineberg, The National Academies, and Shelly Hearne, Trust for America's Health, both of Washington, D.C.

INDIAN TRIBE RECOGNITION

Committee on Indian Affairs: Committee held an oversight hearing to examine Federal recognition of Indian tribes, focusing on local municipalities and communities and tax and zoning issues, and casino gaming, receiving testimony from Senators Dodd and Lieberman; Representatives Shays, Simmons, and Nancy Johnson; Mary L. Kendall, Deputy Inspector General, and Lee Fleming, Director of Federal Acknowledgment, Office of Indian Affairs, both of the Department of the Interior; Connecticut Governor M. Jodi Rell, Hartford; Richard L. Velky, Schaghticoke Tribal Nation, Derby, Connecticut; Stephen R. Adkins, Chickahominy Indian Tribe, Charles City, Virginia; John Barnett, Cowlitz Indian Tribe, Longview, Washington; Kathleen J. Bragdon, College of William and Mary Department of Anthropology, Williamsburg, Virginia; and Ken Cooper, Town Action to Save Kent, South Kent, Connecticut.

Hearing recessed subject to the call.

BUSINESS MEETING

Committee on the Judiciary: Committee began mark-up of S. 852, to create a fair and efficient system to resolve claims of victims for bodily injury caused by asbestos exposure, but did not complete action thereon, and will meet again on tomorrow.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Measures Introduced: 69 public bills, H.R. 2248–2316; 6 resolutions, H. Con. Res. 149–150, and H. Res. 271–274 were introduced. **Page 9230**

Additional Cosponsors: **Page 9232**

Reports Filed: No reports were filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Simpson to act as speaker pro tempore for today. **Page 9145**

Chaplain: The prayer was offered today by Rev. Daniel P. Gallagher, Pastor, Edon Church of Christ in Edon, Ohio. **Page 9145**

Suspensions: The House agreed to suspend the rules and pass the following measure:

Correcting the enrollment of H.R. 1268: S. Con. Res. 31, correcting the enrollment of H.R. 1268. **Page 9149**

Gang Deterrence and Community Protection Act of 2005: The House passed H.R. 1279, to amend title 18, United States Code, to reduce violent gang crime and protect law-abiding citizens and communities from violent criminals, by a yea-and-nay vote of 279 yeas to 144 nays, Roll No. 168. **Page 9165**

Rejected the Tierney motion to recommit the bill to the Committee on the Judiciary with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 198 ayes to 227 noes, Roll No. 167. **Page 9192**

Agreed that the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill be considered as an original bill for the purpose of amendment. **Page 9176**

Agreed:

Sensenbrenner manager's amendment (No. 1 printed in H. Rept. 109–76), as modified, that makes a number of substantive and technical changes to the bill; **Page 9178**

Cuellar amendment (No. 2 printed in H. Rept. 109–76) that establishes a National Gang Intelligence Center at the FBI; **Page 9180**

Eddie Bernice Johnson of Texas amendment (No. 3 printed in H. Rept. 109–76) that establishes funding for regional databases that track gang activity in high intensity gang areas; **Page 9180**

Watson amendment (No. 4 printed in H. Rept. 109–76) that requires the Attorney General to seek input from local elected officials before designating an area as a "High-Intensity Interstate Gang Activity Area"; **Page 9181**

Watson amendment (No. 5 printed in H. Rept. 109–76) that adds 100 new inspectors and 100 new agents from the Bureau of Alcohol, Tobacco, Firearms and Explosives to be assigned to the new High-Intensity Interstate Gang Activty Areas; **Page 9181**

Wynn amendment (No. 6 printed in H. Rept. 109–76) that authorizes the Attorney General to conduct a media campaign about the changes in penalties; **Page 9182**

Norwood amendment (No. 8 printed in H. Rept 109–76) that requires DHS to provide to the National Crime Information Center of the Department of Justice information on three categories of illegal aliens; **Page 9184**

Goodlatte amendment (No. 7 printed in H. Rept 109–76) that adds five years to any sentence for violent crimes or drug trafficking offenses when the violator is an illegal alien (by a recorded vote of 266 ayes to 159 noes, Roll No. 165); and **Pages 9182, 9190**

Norwood amendment (No. 9 printed in H. Rept 109–76) that requires a study to be conducted by the Department of Justice and the Department of Homeland Security on the link of illegal aliens and gang membership (by a recorded vote of 395 ayes to 31 noes, Roll No. 166). **Pages 9185, 9191**

Withdrawn:

Waters amendment (No. 10 printed in H. Rept 109–76) that was offered and subsequently withdrawn that sought to strike all sections of the bill that sets mandatory minimum sentences. **Page 9187**

H. Res. 268, the rule providing for consideration of the bill was agreed to by voice vote, after agreeing to order the previous question by a yea-and-nay vote of 227 yeas to 198 nays, Roll No. 164. **Page 9150**

Emergency Recess: The Speaker announced an emergency recess at 12:05 p.m. The House reconvened at 1:35 p.m., and the chair announced that the roll call vote on ordering the previous question on H. Res. 268 would remain open for an additional 15 minutes. **Page 9163**

Statement regarding the Emergency Recess: The Majority Leader addressed the House regarding the emergency recess. **Page 9164**

Quorum Calls—Votes: Two yea-and-nay votes and three recorded votes developed during the proceedings today and appear on pages 9163, 9190–91, and 9193–94. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 10:15 p.m.

Committee Meetings

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS

Committee on Appropriations: Subcommittee on Foreign Operations, Export Financing, and Related Programs held a hearing on the Treasury Department. Testimony was heard from Randal Quarles, Acting Under Secretary, International Affairs, Department of the Treasury.

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HUD, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and Independent Agencies held a hearing on the National Highway Traffic Safety Administration. Testimony was heard from Jeffrey W. Runge, M.D., Administrator, National Highway Traffic Safety Administrator, Department of Transportation.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2006

Committee on Armed Services: Subcommittee on Military Personnel approved for full Committee action, as amended, H.R. 1815, National Defense Authorization Act for Fiscal Year 2006.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2006

Committee on Armed Services: Subcommittee on Projection Forces approved for full Committee action H.R. 1815, National Defense Authorization Act for Fiscal Year 2006.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2006

Committee on Armed Services: Subcommittee on Terrorism, Unconventional Threats and Capabilities approved for full Committee action H.R. 1815, National Defense Authorization Act for Fiscal Year 2006.

SCHOOL READINESS ACT

Committee on Education and the Workforce: Subcommittee on Education Reform approved for full Committee action, as amended, H.R. 2123, School Readiness Act of 2005.

DEPARTMENT OF HOMELAND SECURITY AUTHORIZATION ACT FOR FISCAL YEAR 2006

Committee on Energy and Commerce: Ordered reported, as amended, H.R. 1817, Department of Homeland Security Authorization Act for Fiscal Year 2006.

SECURITY CONSUMER DATA

Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protection held a hearing entitled "Security Consumers' Data: Options Following Security Breaches." Testimony was heard from public witnesses.

ISSUANCE OF SUBPOENAS

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations approved a motion authorizing the issuance of subpoenas in connection with the Committee's investigation into the marketing, distribution, and sale of masking agents and/or other substances designed to subvert drug test results.

STATE AND LOCAL HOUSING FLEXIBILITY ACT

Committee on Financial Services: Held a hearing on H.R. 1999, State and Local Housing Flexibility Act of 2005. Testimony was heard from Alphonso R. Jackson, Secretary of Housing and Urban Development.

BASEL II: BANKING SYSTEM CHANGES

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit and the Subcommittee on Domestic and International Monetary Policy, Trade, and Technology held a joint hearing entitled "Basel II: Capital Changes in the U.S. Banking System and the Results of the Impact Study." Testimony was heard from Susan Schmidt Bies, Governor, Federal Reserve Board, Federal Reserve System; the following officials of the Department of the Treasury: Richard M. Riccobono, Acting Director, Office of Thrift Supervision; and Julie Williams, Acting Director, Office of the Comptroller of the Currency; Thomas J. Curry, Director, FDIC; and public witnesses.

FREEDOM OF INFORMATION ACT IMPLEMENTATION

Committee on Government Reform: Subcommittee on Government Management, Finance, and Accountability held a hearing entitled "Information Policy in the 21st Century—A Review of the Freedom of Information Act." Testimony was heard from Allen Weinstein, Archivist of the United States, National Archives and Records Administration; Carl Nichols, Deputy Assistant Attorney General, Federal Programs Branch, Civil Division, Department of Justice; Linda Koontz, Director, Information Management, GAO; and public witnesses.

PLAN COLOMBIA

Committee on International Relations: Held a hearing entitled "Plan Colombia: Major Successes and New Challenges." Testimony was heard from Speaker Hastert; John P. Walters, Director, Office of National Drug Control Policy; Adolfo A. Franco, Assistant Administrator, Bureau for Latin America and the Caribbean, U.S. Agency for International Development; the following officials of the Department of State: Roger F. Noriega, Assistant Secretary, Bureau of Western Hemisphere Affairs; and Jonathan D. Farrar, Deputy Assistant Secretary, Bureau of International Narcotics and Law Enforcement Affairs; Ralph D. Utley, Acting Counternarcotics Officer and Interdiction Coordinator, Department of Homeland Security.

U.S.-TURKISH RELATIONS

Committee on International Relations: Subcommittee on Europe and Emerging Threats held a hearing entitled "The State of U.S.-Turkish Relations." Testimony was heard from Mark Parris, former U.S. Ambassador to Turkey; and public witnesses.

OVERSIGHT—PUBLIC PERFORMANCE RIGHTS ORGANIZATIONS

Committee on the Judiciary: Subcommittee on Courts, the Internet and Intellectual Property held an oversight hearing on Oversight of Public Performance Rights Organizations. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Forests and Forest Health held a hearing on the following bills: H.R. 38, Upper White Salmon Wild and Scenic Rivers Act; H.R. 517, Secure Rural Schools and Community Self-Determination Reauthorization Act of 2005; H.R. 539, Caribbean National Forest Act of 2005; and H.R. 1905, To amend the Small Tracts Act to facilitate the exchange of small tracts of land. Testimony was heard from Representative Baird; Joel Holtrop, Deputy Chief, National Forest System, Forest Service, USDA; the following officials of Puerto Rico: Jose L. Rivera Guerra, member, House of Representatives; and Jose Garriga Pico, member, Senate; and public witnesses.

INTERNATIONAL USE OF TECHNICAL STANDARDS AS TRADE BARRIERS

Committee on Science: Subcommittee on Environment, Technology, and Standards held a hearing on Europe, China and the Use of Technical Standards as Trade Barriers: How should the U.S. Respond? Testimony was heard from Hratch Semerjian, Acting Director, National Institute of Standards and Technology, Department of Commerce; and public witnesses.

OVERSIGHT—HAZARDOUS MATERIALS ENDORSEMENT BACKGROUND CHECKS

Committee on Transportation and Infrastructure: Subcommittee on Highways, Transit, and Pipelines held an oversight hearing on Hazardous Materials Endorsement Background Checks. Testimony was heard from the following officials of the Department of Transportation: Annette M. Sandberg, Administrator, Federal Motor Carriers Safety Administration; and Todd J. Zinser; Deputy Inspector General; Tom Blank, Chief Support Systems Officer for the Transportation Security Administration, Department of Homeland Security; D.B. Smit, Commissioner, Department of Motor Vehicles, State of Virginia; and public witnesses.

OVERSIGHT—GETTING ACELA BACK ON TRACK

Committee on Transportation: Subcommittee on Railroads held an oversight hearing on Getting Acela Back on Track. Testimony was heard from Robert D. Jamison, Acting Administrator, Federal Railroad Administration, Department of Transportation; the following officials of AMTRAK: Fred E. Weiderhold, Jr., Inspector General; and William Crosbie, Director, Operations; JayEtta Z.

Hecker, Physical Infrastructure Issues Director, GAO; and public witnesses.

SERVICEMEMBERS' HEALTH INSURANCE PROTECTION ACT OF 2005

Committee on Veterans' Affairs: Ordered reported, as amended, H.R. 2046, Servicemembers' Health Insurance Protection Act of 2005.

PATRIOT ACT

Permanent Select Committee on Intelligence: Held a hearing on the PATRIOT Act. Testimony was heard from James B. Comey, Jr., Deputy Attorney General, Department of Justice.

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Thursday, May 12, 2005

Senate

Chamber Action

Routine Proceedings, pages 9443–9627

Measures Introduced: Twenty-six bills and seven resolutions were introduced, as follows: S. 1008–1033, S. Res. 136–141, and S. Con. Res. 32. **Page 9509**

Measures Reported:

S. 536, to make technical corrections to laws relating to Native Americans. (S. Rept. No. 109–67) **Page 9509**

Measures Passed:

National Drug Court Month: Senate agreed to S. Res. 136, designating the month of May 2005 as "National Drug Court Month". **Page 9623**

National Child Care Worthy Wage Day: Senate agreed to S. Res. 137, designating May 1, 2005, as "National Child Care Worthy Wage Day". **Page 9623**

National Day of the American Cowboy: Senate agreed to S. Res. 138, designating July 23, 2005 as "National Day of the American Cowboy". **Page 9624**

Russian Troop Withdrawal: Senate agreed to S. Res. 139, expressing support for the withdrawal of Russian troops from Georgia. **Page 9624**

Greater Washington Soap Box Derby: Senate agreed to H. Con. Res. 86, authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby. **Page 9625**

Special Olympics Law Enforcement Torch Run: Senate agreed to H. Con. Res. 135, authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run. **Page 9625**

National Peace Officers Memorial Service: Senate agreed to H. Con. Res. 136, authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service. **Page 9625**

National Fetal Alcohol Spectrum Disorders Awareness Day: Senate agreed to S. Res. 141, designating September 9, 2005, as "National Fetal Alcohol Spectrum Disorders Awareness Day". **Page 9625**

Transportation Equity Act: Senate continued consideration of H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, taking action on the following amendments proposed thereto: **Page 9450**

Adopted:

Inhofe (for Dole/Burr) Amendment No. 574 (to Amendment No. 605), to allow States to own the entire interest of a real estate investment trust without tax consequences in order to assist the State in preserving its railroad infrastructure. **Page 9455**

Inhofe (for Lieberman) Amendment No. 598 (to Amendment No. 605), to provide a 90 percent Federal match for bridge projects on the Interstate Highway System. **Page 9455**

Inhofe (for Murray) Modified Amendment No. 624 (to Amendment No. 605), to provide for a comprehensive study of the damages to the Alaska Way Viaduct from the Nisqually earthquake to determine whether to repair, retrofit, or replace the Viaduct and whether emergency relief funding should be made available for the Viaduct. **Page 9455**

Inhofe (for Clinton) Amendment No. 628 (to Amendment No. 605), to reestablish the University of Buffalo as an appropriate research center for research on the impact of seismic activity on the Federal-aid highway system. **Page 9456**

Inhofe (for Dayton) Modified Amendment No. 634 (to Amendment No. 605), to raise consumer awareness of ethanol-fueled vehicles. **Page 9456**

Inhofe (for Conrad/Dorgan) Amendment No. 643 (to Amendment No. 605), to establish the Federal share of the cost of constructing a bridge in the State of North Dakota. **Page 9456**

Inhofe (for Obama) Modified Amendment No. 670 (to Amendment No. 605), to provide for Flexible Fuel Vehicle (FFV) refueling capability at new and existing refueling station facilities to promote energy security and reduction of greenhouse gas emissions. **Pages 9456, 9462**

Inhofe (for Clinton/Inhofe) Modified Amendment No. 681 (to Amendment No. 605), to modify provisions relating to the congestion and air quality improvement program. **Page 9457**

Inhofe (for Landrieu) Amendment No. 621 (to Amendment No. 605), to provide for the conduct of a community enhancement study. **Page 9457**

Inhofe (for Landrieu) Amendment No. 622 (to Amendment No. 605), to provide for the development of a comprehensive coastal evacuation plan. **Page 9458**

Inhofe (for Specter) Modified Amendment No. 666 (to Amendment No. 605), to improve the high-speed magnetic levitation system deployment program. **Page 9458**

Inhofe (for Stevens) Amendment No. 685 (to Amendment No. 605), to increase an amount made available for the Alaska Highway System. **Page 9459**

Inhofe (for Salazar) Amendment No. 694 (to Amendment No. 605), to provide for an off-system bridges pilot program. **Page 9459**

Inhofe (for Snowe) Modified Amendment No. 705 (to Amendment No. 605), to allow the State of Maine to use certain transportations funds made available to the State to support the operation of passenger rail service between Boston, Massachusetts, and Portland, Maine. **Page 9459**

Inhofe (for Santorum) Modified Amendment No. 708 (to Amendment No. 605), to provide for the reobligation and use of excess project funds and funds for projects that are inactive. **Page 9459**

Inhofe (for Baucus) Modified Amendment No. 713 (to Amendment No. 605), to provide funds for the State of Montana for the operation of public transit activities that serve a non-attainment or maintenance area. **Page 9460**

Inhofe Amendment No. 737 (to Amendment No. 605), to make certain revisions relating to alternative methods to improve the accessibility of public transportation for persons with visual disabilities, tax-free transit benefits, authority to use government vehicles to transport Federal employees, and projects in Alaska and Hawaii for new fixed guideway systems and extension projects utilizing ferry boats. **Page 9460**

Inhofe (for Santorum/Specter) Amendment No. 725 (to Amendment No. 605), to provide for the construction of improvements to streets and roads providing access to State Route 28 in the State of Pennsylvania. **Page 9461**

Inhofe (for Levin/Stabenow) Amendment No. 755 (to Amendment No. 725), to reprogram funds made available for Interstate Route 75 and North Down River Road, Michigan. **Page 9462**

Inhofe Modified Amendment No. 726 (to Amendment No. 605), to establish a program to award grants on a competitive basis to eligible recipients for the replacement or retrofit of certain existing school buses. **Page 9461**

Nelson (FL) (for Feingold) Amendment No. 610 (to Amendment No. 605), to improve the accuracy and efficacy of identity authentication systems and ensure privacy and security. **Page 9450**

Inhofe (for Chambliss/Isakson) Modified Amendment No. 569 (to Amendment No. 605), to provide that certain funds shall be appropriated to the Department of Transportation to carry out studies and reports relating to projects in the State of Georgia. **Page 9483**

Inhofe (for Cornyn) Modified Amendment No. 662 (to Amendment No. 605), to strike section 1802(c) relating to contractor suspension and debarment policy. **Page 9483**

Pending:

Inhofe Amendment No. 605, to provide a complete substitute. **Page 9450**

Dorgan Amendment No. 652 (to Amendment No. 605), to provide for the conduct of an investigation to determine whether market manipulation is contributing to higher gasoline prices. **Page 9450**

Inhofe (for Ensign) Amendment No. 636 (to Amendment No. 605), to authorize the State of Nevada to continue construction of the US–95 Project in Las Vegas, Nevada. **Page 9451**

Allen/Ensign Amendment No. 611 (to Amendment No. 605), to modify the eligibility requirements for States to receive a grant under section 405 of title 49, United States Code. **Page 9491**

Schumer Amendment No. 674 (to Amendment No. 605), to increase the transit pass and van pooling benefit to $200. **Page 9497**

Sessions Modified Amendment No. 646 (to Amendment No. 605), to reduce funding for certain programs. **Page 9497**

During consideration of this measure today, Senate also took the following action:

By 92 yeas to 7 nays (Vote No. 122), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on Inhofe Amendment No. 605 (listed above). **Page 9462**

Chair sustained a point of order that Byrd Amendment No. 635 (to Amendment No. 605), to amend the Internal Revenue Code of 1986 to allow a credit for rural commuters, was not germane, and the amendment thus fell. **Page 9465**

A unanimous-consent agreement was reached providing for a list of amendments to be the only remaining first-degree amendments, other than a managers' amendment to be cleared by both managers and both leaders; provided further, that they be subject to second-degree amendments that have been filed in accordance with Rule 22; that any amendment from the list must be offered by 4 p.m. on Monday, May 16; provided further, that when the Senate resumes consideration of the bill on Tuesday, May 17, all time be expired under Rule 22 and the Senate proceed to votes in relation to the pending amendments in the order offered; the Senate then proceed to a vote on Inhofe substitute Amendment No. 605, as amended, that the cloture vote on the underlying bill be vitiated, and the Senate then proceed to a vote on passage of the bill. **Page 9493**

A unanimous-consent agreement was reached providing for further consideration of the bill at 10 a.m. on Friday, May 13, 2005. **Page 9626**

Nominations Confirmed: Senate confirmed the following nominations:

John Paul Woodley, Jr., of Virginia, to be an Assistant Secretary of the Army. **Pages 9623, 9627**

Nominations Discharged: The following nominations were discharged from further committee consideration and placed on the Executive Calendar:

Thomas C. Dorr, of Iowa, to be Under Secretary of Agriculture for Rural Development, which was sent to the Senate on January 24, 2005, from the Senate Committee on Agriculture, Nutrition, and Forestry.

Thomas C. Dorr, of Iowa, to be a Member of the Board of Directors of the Commodity Credit Corporation, which was sent to the Senate on January 24, 2005, from the Senate Committee on Agriculture, Nutrition, and Forestry. **Page 9623**

Messages From the House: **Page 9507**

Measures Referred: **Page 9508**

Executive Communications: **Page 9508**

Executive Reports of Committees: **Page 9509**

Additional Cosponsors: **Page 9510**

Statements on Introduced Bills/Resolutions: **Page 9511**

Additional Statements: **Page 9505**

Amendments Submitted: **Page 9615**

Authority for Committees to Meet: **Page 9622**

Privilege of the Floor: **Page 9623**

Record Votes: One record vote was taken today. (Total—122) **Page 9463**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 8:40 p.m. until 10 a.m., on Friday, May 13, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 9626.)

Committee Meetings

APPROPRIATIONS: AMTRAK

Committee on Appropriations: Subcommittee on Transportation, Treasury, The Judiciary, Housing and Urban Development, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the National Railroad Passenger Corporation (Amtrak), after receiving testimony from David L. Gunn, President and Chief Executive Officer, and David M. Laney, Chairman of the Board of Directors, both of Amtrak; and Jeffrey A. Rosen, General Counsel, and Kenneth M. Mead, Inspector General, both of the Department of Transportation.

APPROPRIATIONS: NASA

Committee on Appropriations: Subcommittee on Commerce, Justice, and Science, concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the National Aeronautics and Space Administration, after receiving testimony from Michael D. Griffin, Administrator, National Aeronautics and Space Administration.

APPROPRIATIONS: DEPARTMENT OF STATE

Committee on Appropriations: Subcommittee on State, Foreign Operations, and Related Programs concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the Department of State and Foreign Operations, after receiving testimony from Condoleezza Rice, Secretary of State.

AUTHORIZATION—NATIONAL DEFENSE

Committee on Armed Services: Committee ordered favorably reported the following bills: An original bill entitled "National Defense Authorization Act for Fiscal Year 2006"; An original bill entitled "Department of Defense Authorization Act for Fiscal Year 2006"; An original bill entitled "Military Construction Authorization Act for Fiscal Year 2006"; and An original bill entitled "Department of Energy National Security Act for Fiscal Year 2006".

TRUTH IN BROADCASTING ACT

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine S. 967, to amend the Communications Act of 1934 to ensure that prepackaged news stories contain announcements that inform viewers that the information within was provided by the United States Government, after receiving testimony from Jonathan S. Adelstein, Commissioner, and Austin C. Schlick, Acting General Counsel, both of the Federal Communications Commission; Susan A. Poling, Managing Associate General Counsel, Government Accountability Office; Barbara Cochran, Radio-Television News Directors Association, Washington, D.C.; Douglas Simon, D S Simon Productions, Inc., New York, New York; and Judith T. Phair, Public Relations Society of America, Laurel, Maryland.

NOMINATION

Committee on Foreign Relations: Committee ordered reported, without recommendation, the nominations of John Robert Bolton, of Maryland, to be the U.S. Representative to the United Nations, with the rank and status of Ambassador, and the U.S. Representative in the Security Council of the United Nations, and to be U.S. Representative to the Sessions of the General Assembly of the United Nations during his tenure of service as U.S. Representative to the United Nations.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the nomination of William H. Pryor, Jr., of Alabama, to be United States Circuit Judge for the Eleventh Circuit.

Also, Committee resumed its markup of S. 852, to create a fair and efficient system to resolve claims of victims for bodily injury caused by asbestos exposure, but did not complete action thereon, and recessed subject to the call.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Rachel Brand, of Iowa, who was introduced by Senators Grassley and Harkin, Alice S. Fisher, of Virginia, who was introduced by Senator McConnell, and Regina B. Schofield, of Virginia, who was introduced by Senators Cochran and Lott, each to be an Assistant Attorney General, Department of Justice, after the nominees testified and answered questions in their own behalf.

VETERANS LONG TERM CARE

Committee on Veterans' Affairs: Committee concluded a hearing to examine issues relating to the planning, providing, and paying for veterans' long-term care services, after receiving testimony from Jonathan B. Perlin, Under Secretary of Veterans Affairs for Health; Lourdes E. Alvarado-Ramos, Washington State Department of Veterans Affairs, Seattle, on behalf of the National Association of State Veterans Homes; and Joshua M. Wiener, RTI International, Fred Cowell, Paralyzed Veterans of America, and Donald L. Mooney, The American Legion, all of Washington, D.C.

HIV/AIDS

Special Committee on Aging: Committee concluded a hearing to examine the threat of HIV affecting people over fifty, focusing on U.S. HIV/AIDS trends, specifically among persons 50 years and older, and the Centers for Disease Control and Prevention efforts for people in this age group who are at high risk for acquiring and transmitting HIV, after receiving testimony from Robert S. Janssen, Director, Division of HIV/AIDS Prevention, National Center for Infectious Diseases, Coordinating Center for Infectious Diseases, Centers for Disease Control and Prevention, Department of Health and Human Services; Thomas Bruner, Cascade AIDS Project, Portland, Oregon; Jeanine M. Reilly, Broadway House for Continuing Care, Newark, New Jersey; and Shirley Royster, Boston, Massachusetts.

House of Representatives

Measures Introduced: 43 public bills, H.R. 2317–2359; and 6 resolutions, H.J. Res. 49–50; H. Con. Res. 151; and H. Res. 275–277 were introduced. **Page 9438**

Additional Cosponsors: **Page 9441**

Reports Filed: Reports were filed today as follows:

Report on the Suballocation of Budget Allocations for Fiscal Year 2006 (H. Rept. 109–78). **Page 9438**

Faster and Smarter Funding for First Responders Act of 2005: The House passed H.R. 1544 to provide faster and smarter funding for first responders, by a recorded vote: 409–10 (Roll no. 170). **Page 9388**

Agreed that the amendment in the nature of a substitute recommended by the Committee on Homeland Security now printed in the bill be considered as an original bill for the purpose of amendment. **Page 9415**

Accepted:

Berry amendment numbered 1 printed in House Report 109–77 that adds the Administrator of Animal and Plant Health Inspection Service to the First Responder Grants Board; **Page 9406**

Berry amendment numbered 2 printed in House Report 109–77 that requires the Department of Homeland Security to coordinate with State, local, and tribal governments in establishing criteria for prioritizing applications for first responder grants; **Page 9407**

Bass amendment numbered 3 printed in House Report 109–77 that allow states to petition the Secretary of Homeland Security to use Federal homeland security funds for the cost of any activity relating to prevention of, preparation for, response to, or recovery from acts of terrorism, that would otherwise be a Federal duty performed by Federal agencies and under agreement with the State or local government and a Federal agency; and **Page 9408**

Castle amendment numbered 5 printed in House Report 109–77 that better equips and protects our communities' firefighters and encourage donations by raising the liability standard for donors of fire fighting equipment from negligence to gross negligence. **Page 9412**

Rejected:

Weiner amendment numbered 4 printed in House Report 109–77 that sought to limit the number of Urban Area Security Initiative grants during any given fiscal year to 50, by a recorded vote: 88–331 (Roll no. 169). **Page 9409**

H. Res. 269, the rule providing for consideration of the bill was agreed to by voice vote. **Page 9381**

Late Reports: Agreed that the Committee on Appropriations have until midnight on May 13 to file late reports on legislation making appropriations for the Department of Homeland Security for the fiscal year 2006 and on legislation making appropriations for the Department of the Interior for fiscal year 2006. **Page 9416**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday, May 16, 2005, for morning-hour debates. **Page 9417**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, May 18. **Page 9417**

Reception of Former Members of Congress: Agreed that the House will meet at 9 a.m. on Thursday, May 19, 2005, for the purpose of receiving in the Chamber Former Members of Congress, and that the Speaker may declare a recess subject to the call of the Chair for such a purpose. **Page 9417**

Board of Visitors to the United States Naval Academy—Appointment: The Chair announced the Speaker's appointment of Representatives Cunningham of California and Wicker of Mississippi to the Board of Visitors to the United States Naval Academy. **Page 9417**

Board of Trustees of the Harry S Truman Scholarship Foundation—Appointment: The Chair announced the Speaker's appointment of Representatives Akin of Missouri and Skelton of Missouri to the Board of Trustees of the Harry S Truman Scholarship Foundation. **Page 9417**

Congressional-Executive Commission on the People's Republic of China: The Chair announced the Speaker's appointment of the following members to the Congressional-Executive Commission on the People's Republic of China: Representatives Leach (co-Chair), Dreier, Wolf, Pitts, and Aderholt. **Page 9428**

Quorum Calls—Votes: Two recorded votes developed during the proceedings of the House today and appear on pages 9414–15. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 5:57 p.m.

Committee Meetings

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HUD, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and Independent Agencies held a hearing on the Saint Lawrence Seaway. Testimony was heard from Albert S. Jacquez, Administrator, Saint Lawrence Seaway Development Corporation, Department of Transportation.

ENERGY AND WATER DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Energy and Water Development, and Related Agencies approved for full Committee action the Energy and Water Development, and Related Agencies appropriations for Fiscal Year 2006.

MILITARY QUALITY OF LIFE, AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Quality of Life, and Veterans Affairs, and Related Agencies approved for full Committee action the Military Quality of Life, and Veterans Affairs, and Related Agencies appropriations for Fiscal Year 2006.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2006

Committee on Armed Services: Subcommittee on Readiness approved for full Committee action, as amended, H.R. 1815, National Defense Authorization Act for Fiscal Year 2006, 9 a.m., 2118 Rayburn.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2006

Committee on Armed Services: Subcommittee on Strategic Forces approved for full Committee action, as amended, H.R. 1815, National Defense Authorization Act for Fiscal Year 2006.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2006

Committee on Armed Services: Subcommittee on Tactical and Land Forces approved for full Committee action H.R. 1815, National Defense Authorization Act for Fiscal Year 2006.

OCCUPATIONAL SAFETY AND HEALTH PROGRAMS

Committee on Education and the Workforce: Subcommittee on Workforce Protections held a hearing entitled "Examining Voluntary Compliance Programs that Improve Occupational Safety and Health." Testimony was heard from Jon Turnipseed, Safety Program Manager, Municipal Water Department, San Bernadino, California; and public witnesses.

SPECIALTY HOSPITALS

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled "Specialty Hospitals: Assessing Their Role in the Delivery of Quality Health Care." Testimony was heard from Mark B. McClellan, M.D., Administrator, Centers for Medicare and Medicaid Services, Department of Health and Human Services; Glenn M. Hackbarth, Chairman, Medicare Payment Advisory Commission; and public witnesses.

CONSUMER CREDIT

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled "Helping Consumers Obtain the Credit They Deserve." Testimony was heard from public witnesses.

SECURING OUR BORDERS

Committee on Government Reform: Held a hearing entitled "Securing Our Borders: What Have We Learned From Government Initiatives and Citizen Patrols?" Testimony was heard from Robert C. Bonner, Commissioner, U.S. Customs and Border Protection, Department of Homeland Security; Janice Kephart, former Counsel, National Commission on Terrorist Attacks Upon the United States; and public witnesses.

EMBASSY AND BORDER SECURITY

Committee on International Relations: Subcommittee on Africa, Global Human Rights and International Operations held a hearing entitled "Foreign Relations Authorization for FY 2005–2006: Embassy and Border Security." Testimony was heard from the following officials of the Department of State: Gregory B. Starr, Deputy Assistant Secretary, Countermeasures, Bureau of Diplomatic Security; MG Charles E. Williams, USA (Ret.), Director, Bureau of Overseas Buildings Operations; and Dan Smith, Principal Deputy Assistant Secretary, Bureau of Consular Affairs.

STATE DEPARTMENT TERRORISM REPORT

Committee on International Relations: Subcommittee on International Terrorism and Nonproliferation held a hearing entitled "Reviewing the State Department's Annual Report on Terrorism." Testimony was heard from Philip D. Zelikow, Counselor, Department of State; John O. Brennan, Interim Director, National Counterterrorism Center; Raphael F. Perl, Specialist in International Terrorism Policy, CRS, Library of Congress; and a public witness.

DEPARTMENT OF HOMELAND SECURITY AUTHORIZATION ACT FOR FISCAL YEAR 2006

Committee on the Judiciary: Ordered reported, as amended, H.R. 1817, Department of Homeland Security Authorization Act for Fiscal Year 2006.

ILLEGAL IMMIGRATION ENFORCEMENT AND SOCIAL SECURITY PROTECTION ACT

Committee on the Judiciary: Subcommittee on Immigration, Border Security, and Claims held a hearing on H.R. 98, Illegal Immigration Enforcement and Social Security Protection Act of 2005. Testimony was heard from Representatives Dreier and Reyes; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on National Parks held a hearing on the following bills: H.R. 323, To redesignate the Ellis Island Library on the third floor of the Ellis Island Immigration Museum, located on Ellis Island in New York Harbor, as the "Bob Hope Memorial Library"; H.R. 774, Rocky Mountain National Park Boundary Adjustment Act of 2005; and H.R. 1084, To authorize the establishment at Antietam National Battlefield of a memorial to the officers and enlisted men of the Fifth, Sixth, and Ninth New Hampshire Volunteer Infantry Regiments and the First New Hampshire Light Artillery Battery who fought in the Battle of Antietam on September 17, 1862. Testimony was heard from Representatives Bradley of New Hampshire and Engel; Sue Masica, Associate Director, Park Planning, Facilities and Lands, National Park Service, Department of the Interior.

COMPUTER SCIENCE RESEARCH

Committee on Science: Held a hearing on the Future of Computer Science Research in the U.S. Testimony was heard from John H. Marburger III, Director, Office of Science and Technology Policy; Anthony J. Tether, Director, Defense Advanced Research Projects Agency, Department of Defense; and public witnesses.

COAST GUARD AMENDMENTS

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation held a hearing on the Coast Guard Amendments of 2005. Testimony was heard from Calvin Lederer, Deputy Judge Advocate General, U.S. Coast Guard, Department of Homeland Security.

OVERSIGHT—VETERANS EMPLOYMENT AND TRAINING SERVICE

Committee on Veterans' Affairs: Subcommittee on Economic Opportunity held an oversight hearing on the U.S. Department of Labor, Veterans Employment and Training Service (VETS). Testimony was heard from Sigurd R. Nilsen, Director, Education, Workforce, and Income Security Issues, GAO; John M. McWilliam, Deputy Assistant Secretary, Operations and Management, Veterans' Employment and Training Service, Department of Labor; representatives of veterans organizations; and public witnesses.

SOCIAL SECURITY—ALTERNATIVES TO STRENGTHEN; COMMITTEE BUSINESS

Committee on Ways and Means: Held a hearing on Alternatives to Strengthen Social Security. Testimony was heard from public witnesses.

Prior to the hearing, the Committee approved pending business.

BRIEFING—GLOBAL UPDATES

Permanent Select Committee on Intelligence: Met in executive session to receive a Briefing on Global Updates. The Committee was briefed by departmental witnesses.

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Friday, May 13, 2005

Senate

Chamber Action

Routine Proceedings, pages 9634–42

Measures Introduced: Two bills were introduced, as follows: S. 1034–1035. **Page 9638**

Transportation Equity Act: Senate continued consideration of H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, taking action on the following amendments proposed thereto: **Page 9636**

Pending:

Inhofe Amendment No. 605, to provide a complete substitute. **Page 9636**

Dorgan Amendment No. 652 (to Amendment No. 605), to provide for the conduct of an investigation to determine whether market manipulation is contributing to higher gasoline prices. **Page 9636**

Inhofe (for Ensign) Amendment No. 636 (to Amendment No. 605), to authorize the State of Nevada to continue construction of the U.S.–95 Project in Las Vegas, Nevada. **Page 9636**

Allen/Ensign Amendment No. 611 (to Amendment No. 605), to modify the eligibility requirements for States to receive a grant under section 405 of title 49, United States Code. **Page 9636**

Schumer Amendment No. 674 (to Amendment No. 605), to increase the transit pass and van pooling benefit to $200. **Page 9636**

Sessions Modified Amendment No. 646 (to Amendment No. 605), to reduce funding for certain programs. **Page 9636**

A unanimous-consent agreement was reached providing for further consideration of the bill at 2 p.m. on Monday, May 16, 2005. **Page 9641**

Nominations Received: Senate received the following nomination:

James B. Letten, of Louisiana, to be United States Attorney for the Eastern District of Louisiana for the term of four years. **Page 9642**

Executive Communications: **Page 9637**

Additional Cosponsors: **Page 9638**

Statements on Introduced Bills/Resolutions: **Page 9638**

Authority for Committees to Meet: **Page 9641**

Adjournment: Senate convened at 10 a.m. and adjourned at 11:42 a.m. until 2 p.m., on Monday, May 16, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 9641.)

Committee Meetings

USAID ANTI-MALARIA POLICY

Committee on Homeland Security and Governmental Affairs: On Thursday, May 12, Subcommittee on Federal Financial Management, Government Information, and International Security concluded an oversight hearing to assess the anti-malaria policy of the United States Agency for International Development (USAID), focusing on the transmission of HIV/AIDS, heath issues in Africa, and the World Health Organization (WHO), after receiving testimony from Senator Brownback; Michael Miller, Deputy Assistant Administrator for Global Health, United States Agency for International Development; Roger Bate, The American Enterprise Institute, Washington, D.C.; Amir Attaran, University of Ottawa, Ottawa, Canada; and Carlos C. Campbell, Program for Appropriate Technology in Health (PATH), Seattle, Washington, on behalf of the Malaria Control and Evaluation Program in Africa (MACEPA).

House of Representatives

Chamber Action

The House was not in session today. It will meet at 12:30 p.m. on Monday, May 16 for Morning Hour debate and 2 p.m. for legislative business.

Committee Meetings

FREE TRADE—EFFECT OF DOMESTIC RESTRICTIONS

Committee on Government Reform: Held a hearing entitled "Domestic Source Restrictions Threaten Free Trade: What is the Federal Government Doing to Ensure a Level Playing Field in the Global Economy?" Testimony was from Benjamin H. Wu, Assistant Secretary, Technology and Acting Director, National Technical Information Service, Department of Commerce; Charles W. Freeman, II, Office of the U.S. Trade Representative; and public witnesses.

TSA'S SCREENING OF AIRLINE PILOTS

Committee on Homeland Security: Subcommittee on Economic Security, Infrastructure Protection, and Cybersecurity held a hearing entitled "The Transportation Security Administration's Screening of Airline Pilots: Sound Security Practice or Waste of Scarce Resources?" Testimony was heard from public witnesses.

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Monday, May 16, 2005

Senate

Chamber Action

Routine Proceedings, pages 9644–9717

Measures Introduced: Six bills and three resolutions were introduced, as follows: S. 1036–1041, S. Res. 142–143, and S. Con. Res. 33. **Page 9687**

Measures Reported:

S. 147, to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity, with an amendment in the nature of a substitute. (S. Rept. No. 109–68) **Page 9686**

Measures Passed:

Senate Legal Counsel: Senate agreed to S. Res. 143, to authorize the Senate Legal Counsel to appear in legal proceedings in the name of the Permanent Subcommittee on Investigations in connection with its investigation into the United Nations' "Oil-For-Food" Programme. **Page 9716**

Transportation Equity Act: Senate resumed consideration of H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, taking action on the following amendments proposed thereto: **Page 9664**

Adopted:

Inhofe/Jeffords Amendment No. 761 (to Amendment No. 605), to make certain revisions and modifications. **Page 9681**

Withdrawn:

Inhofe (for Ensign) Amendment No. 636 (to Amendment No. 605), to authorize the State of Nevada to continue construction of the US–95 Project in Las Vegas, Nevada. **Page 9682**

Schumer Amendment No. 674 (to Amendment No. 605), to increase the transit pass and van pooling benefit to $200. **Pages 9679, 9682**

Pending:

Inhofe Amendment No. 605, to provide a complete substitute. **Page 9664**

Allen/Ensign Amendment No. 611 (to Amendment No. 605), to modify the eligibility requirements for States to receive a grant under section 405 of title 49, United States Code. **Page 9664**

Sessions Modified Amendment No. 646 (to Amendment No. 605), to reduce funding for certain programs. **Page 9664**

Reid (for Lautenberg) Amendment No. 619 (to Amendment No. 605), to increase penalties for individuals who operate motor vehicles while intoxicated or under the influence of alcohol under aggravated circumstances. **Page 9666**

Inhofe (for Snowe) Amendment No. 706 (to Amendment No. 605), to specify which portions of Interstate Routes 95, 195, 295, and 395 in the State of Maine are subject to certain vehicle weight limitations. **Page 9672**

During consideration of this measure today, Senate also took the following action:

Chair sustained a point of order that Dorgan Amendment No. 652 (to Amendment No. 605), to provide for the conduct of an investigation to determine whether market manipulation is contributing to higher gasoline prices, was not germane, and the amendment thus fell. **Page 9682**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:45 a.m. on Tuesday, May 17, 2005, with 30 minutes of debate equally divided. **Page 9716**

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following conventions:

Convention Concerning Migratory Fish Stock in the Pacific Ocean (Treaty Doc. No. 109–1), and Convention Strengthening Inter-American Tuna Commission (Treaty Doc. No. 109–2).

The conventions were transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed. **Page 9715**

Nominations Received: Senate received the following nominations:

Daniel R. Stanley, of Kansas, to be an Assistant Secretary of Defense.

Eric S. Edelman, of Virginia, to be Under Secretary of Defense for Policy.

Sandra L. Pack, of Maryland, to be an Assistant Secretary of the Treasury.

Paul A. Trivelli, of Virginia, to be Ambassador to the Republic of Nicaragua.

Ann Louise Wagner, of Missouri, to be Ambassador to Luxembourg.

Victoria Nuland, of Connecticut, to be Permanent Representative of the United States of America on the Council of the North Atlantic Treaty Organization, with the rank and status of Ambassador.

Terence Patrick McCulley, of Oregon, to be Ambassador to the Republic of Mali.

Larry Miles Dinger, of Iowa, to be Ambassador to the Republic of the Fiji Islands, and to serve concurrently and without additional compensation as Ambassador to the Republic of Nauru, the Kingdom of Tonga, Tuvalu, and the Republic of Kiribati.

Michael E. Hess, of New York, to be an Assistant Administrator of the United States Agency for International Development.

Janice B. Gardner, of Virginia, to be Assistant Secretary for Intelligence and Analysis, Department of the Treasury.

1 Air Force nomination in the rank of general.

5 Army nominations in the rank of general. **Page 9716**

Messages From the House: **Page 9685**

Executive Communications: **Page 9685**

Additional Cosponsors: **Page 9687**

Statements on Introduced Bills/Resolutions: **Page 9688**

Additional Statements: **Page 9682**

Amendments Submitted: **Page 9700**

Notices of Hearings/Meetings: **Page 9705**

Adjournment: Senate convened at 2 p.m. and adjourned at 6:29 p.m. until 9:45 a.m., on Tuesday, May 17, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 9716.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Measures Introduced: 23 public bills, H.R. 2362–2384; and 3 resolutions, H. Con. Res. 152–153, and H. Res. 279 were introduced. **Page 9786**

Additional Cosponsors: **Page 9787**

Reports Filed: Reports were filed today as follows:

Filed on Friday, May 13: H.R. 1817, to authorize appropriations for fiscal year 2006 for the Department of Homeland Security, amended (H. Rept. 109–71, Pt. 2);

Filed on Friday, May 13: H.R. 1817, to authorize appropriations for fiscal year 2006 for the Department of Homeland Security, amended (H. Rept. 109–71, Pt. 3);

Filed on May 13: H.R. 2360, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006 (H. Rept. 109–79);

Filed on May 13: H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006 (H. Rept. 109–80);

H.R. 1224, to repeal the prohibition on the payment of interest on demand deposits, amended (H. Rept. 109–81);

H.R. 1215, to provide for the implementation of a Green Chemistry Research and Development Program, amended (H. Rept. 109–82); and

H. Res. 278, providing for consideration of H.R. 2360, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006 (H. Rept. 109–83). **Page 9785**

Speaker: Read a letter from the Speaker wherein he appointed Representative McMorris to act as speaker pro tempore for today. **Page 9718**

Recess: The House recessed at 12:48 p.m. and reconvened at 2 p.m. **Page 9721**

Commission on International Religious Freedom: The Chair announced the Speaker's reappointment of Ms. Nina Shea of Washington, D.C., and upon the recommendation of the Minority Leader, Ms. Felice Gaer of Paramus, New Jersey to the Commission on International Religious Freedom for a two year term ending May 14, 2007. **Page 9722**

Department of Homeland Security Authorization Act for FY 2006—CBO Estimate: The House agreed that the Congressional Budget Office cost estimate for H.R. 1817 be inserted in the appropriate place in the Congressional Record. **Page 9722**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Linda White-Epps Post Office Designation Act: H.R. 627, to designate the facility of the United States Postal Service located at 40 Putnam Avenue in Hamden, Connecticut, as the "Linda White-Epps Post Office", by a ⅔ yea-and-nay vote of 390 yeas with none voting "nay", Roll No. 171; **Pages 9723, 9741**

Robert M. La Follette, Sr. Post Office Building Designation Act: H.R. 1760, to designate the facility of the United States Postal Service located at 215 Martin Luther King, Jr. Boulevard in Madison, Wisconsin, as the "Robert M. La Follette, Sr. Post Office Building"; **Page 9724**

Supporting the goals and ideals of Peace Officers Memorial Day: H. Res. 266, supporting the goals and ideals of Peace Officers Memorial Day, by a ⅔ yea-and-nay vote of 391 yeas with none voting "nay", Roll No. 172; **Pages 9726, 9741**

Providing for the authorization to store water from the city of Cheyenne in the Kendrick Project, Wyoming: H.R. 1046, to authorize the Secretary of the Interior to contract with the city of Cheyenne, Wyoming, for the storage of the city's water in the Kendrick Project, Wyoming; **Page 9729**

Potash Royalty Reduction Act of 2005: H.R. 485, amended, to provide that the royalty rate on the output from Federal lands of potassium and potassium compounds from the mineral sylvite in the 5-year period beginning on the date of the enactment of this Act shall be reduced to 1.0 percent; **Page 9729**

National Law Enforcement Officers Memorial Maintenance Fund Act of 2005: H.R. 2107, to amend Public Law 104–329 to modify authorities for the use of the National Law Enforcement Officers Memorial Maintenance Fund, by a ⅔ yea-and-nay vote of 392 yeas with none voting "nay", Roll No. 173; **Pages 9730, 9742**

Newlands Project Headquarters and Maintenance Yard Facility Transfer Act: H.R. 540, amended, to authorize the Secretary of the Interior to convey the Newlands Project Headquarters and Maintenance Yard Facility to the Truckee-Carson Irrigation District; and **Page 9732**

Agreed to amend the title so as to read: to authorize the Secretary of the Interior to convey the Newlands Project Headquarters and Maintenance Yard Facility to the Truckee-Carson Irrigation District. **Page 9736**

Upper Housatonic Valley National Heritage Area Act: H.R. 938, amended, to establish the Upper

Housatonic Valley National Heritage Area in the State of Connecticut and the Commonwealth of Massachusetts. **Page 9736**

Recess: The House recessed at 3:16 p.m. and reconvened at 6:30 p.m. **Page 9740**

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings today and appear on pages 9741–42. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 10:58 p.m.

Committee Meetings

AGRICULTURE, RURAL DEVELOPMENT, FDA, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies approved for full Committee action the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies appropriations for Fiscal Year 2006.

UN OIL-FOR-FOOD PROGRAM

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "The United Nations Oil-for-Food Program: Saddam Hussein's Use of Oil Allocations to Undermine Sanctions and the United Nations Security Council." Testimony was heard from Gerald C. Anderson, Director, Office of Peacekeeping, Sanctions and Counterterrorism, Department of State; and public witnesses.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2006

Committee on Rules: Granted, by voice vote, an open rule providing for consideration of H.R. 2360, a bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006, and for other purposes. The rule provides for one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. Under the rules of the House the bill shall be read for amendment by paragraph. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill), except as specified in the resolution. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Rogers of Kentucky and Representative Sabo.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

Committee on Rules: Heard testimony from Chairman Taylor of North Carolina, Representatives Pombo and Dicks, but action was deferred on H.R. 2361, a bill making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes.

◆◆◆◆◆◆◆◆◆◆◆◆

Tuesday, May 17, 2005

Senate

Chamber Action

Routine Proceedings, pages 9804–9931

Measures Introduced: Seventeen bills and three resolutions were introduced, as follows: S. 1042–1058, S.J. Res. 19, S. Res. 144, and S. Con. Res. 34. **Page 9857**

Measures Reported:

S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces. (S. Rept. No. 109–69)

S. 1043, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, to prescribe personnel strengths for such fiscal year for the Armed Forces.

S. 1044, to authorize appropriations for fiscal year 2006 for military construction.

S. 1045, to authorize appropriations for fiscal year 2006 for defense activities of the Department of Energy.

S. 1053, to amend the Federal Election Campaign Act of 1971 to clarify when organizations described in section 527 of the Internal Revenue Code of 1986 must register as political committees, and for other purposes. **Page 9857**

Measures Passed:

Transportation Equity Act: By 89 yeas to 11 nays (Vote No. 125), Senate passed H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, after taking action on the following amendments proposed thereto: **Page 9811**

Adopted:

Reid (for Lautenberg) Modified Amendment No. 619 (to Amendment No. 605), to increase penalties for individuals who operate motor vehicles while intoxicated or under the influence of alcohol under aggravated circumstances. **Page 9820**

Inhofe Amendment No. 605, to provide a complete substitute. **Page 9820**

Rejected:

By 14 yeas to 86 nays (Vote No. 123), Allen/Ensign Amendment No. 611 (to Amendment No. 605), to modify the eligibility requirements for States to receive a grant under section 405 of title 49, United States Code. **Pages 9811, 9820**

By 16 yeas to 84 nays (Vote No. 124), Sessions Modified Amendment No. 646 (to Amendment No. 605), to reduce funding for certain programs. **Pages 9821, 9822**

Withdrawn:

Inhofe (for Snowe) Amendment No. 706 (to Amendment No. 605), to specify which portions of Interstate Routes 95, 195, 295, and 395 in the State of Maine are subject to certain vehicle weight limitations. **Page 9809**

During consideration of this measure today, Senate also took the following action:

Inhofe Amendment No. 761 (to Amendment No. 605), previously agreed to on Monday, May 16, 2005, was modified, to make a technical correction, by unanimous consent. **Page 9812**

Civil Society in Cuba: Committee on Foreign Relations was discharged from further consideration of S. Res. 140, expressing support for the historic meeting in Havana of the Assembly to Promote the Civil Society in Cuba on May 20, 2005, as well as to all those courageous individuals who continue to advance liberty and democracy for Cuban people, and the resolution was then agreed to. **Page 9927**

Federal Bureau of Investigation: Senate agreed to S. Res. 144, recognizing Tim Nelson and Hugh Sims for their bravery and their contributions in helping the Federal Bureau of Investigation detain Zacarias Moussaoui. **Page 9927**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report relative to the continuation of the national emergency with respect to Burma; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–10) **Page 9855**

Nominations Received: Senate received the following nominations:

Reuben Jeffery III, of the District of Columbia, to be a Commissioner of the Commodity Futures Trading Commission for a term expiring April 13, 2007.

Reuben Jeffery III, of the District of Columbia, to be Chairman of the Commodity Futures Trading Commission.

James A. Rispoli, of Virginia, to be an Assistant Secretary of Energy (Environmental Management).

Linda Jewell, of the District of Columbia, to be Ambassador to the Republic of Ecuador.

John F. Tefft, of Virginia, to be Ambassador to Georgia.

Charles S. Ciccolella, of Virginia, to be Assistant Secretary of Labor for Veterans' Employment and Training.

1 Air Force nomination in the rank of general.

1 Marine Corps nomination in the rank of general.

A routine list in the Coast Guard. **Page 9930**

Messages From the House: **Page 9854**

Measures Referred: **Page 9855**

Measures Placed on Calendar: **Page 9855**

Executive Communications: **Page 9855**

Additional Cosponsors: **Page 9857**

Statements on Introduced Bills/Resolutions: **Page 9859**

Additional Statements: **Page 9854**

Authority for Committees to Meet: **Page 9926**

Privilege of the Floor: **Page 9927**

Record Votes: Three record votes were taken today. (Total—125) **Pages 9820, 9822, 9837**

Adjournment: Senate convened at 9:45 a.m. and adjourned at 6:33 p.m. until 9:30 a.m., on Wednesday, May 18, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 9928.)

Committee Meetings

CAPITOL VISITOR CENTER

Committee on Appropriations: Subcommittee on Legislative Branch concluded a hearing to examine the progress of the Capitol Visitor Center, after receiving testimony from Alan Hantman, Architect of the Capitol; and David M. Walker, Comptroller General of the United States, Government Accountability Office.

APPROPRIATIONS: DEPARTMENT OF DEFENSE

Committee on Appropriations: Subcommittee on Defense concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the Department of Defense, after receiving testimony from numerous public witnesses.

CREDIT CARDS

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the current legal and regulatory requirements and industry practices for credit card issuers with respect to consumer disclosures and marketing efforts, after receiving testimony from Senators Akaka and Feinstein; Edward M. Gramlich, Member, Board of Governors of the Federal Reserve System; Julie L. Williams, Acting Comptroller of the Currency, Department of the Treasury; Antony Jenkins, Citi Cards, Sioux Falls, South Dakota; Travis B. Plunkett, Consumer Federation of America, Edmund Mierzwinski, U.S. Public Interest Research Group, and Linda Sherry, Consumer Action, all of Washington, D.C.; Louis J. Freeh, MBNA

Corporation, and Carter Franke, Chase Bank U.S.A., both of Wilmington, Delaware; Robert D. Manning, Rochester Institute of Technology, Rochester, New York; and Marge Connelly, Capital One Financial Corporation, Richmond, Virginia.

PORT SECURITY

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine measures that have been taken since September 11, 2001, to secure our nation's ports, focusing on the implementation of the Maritime Transportation Security Act and vulnerabilities that remain in the maritime transportation sector, after receiving testimony from Representative Ruppersberger; Robert M. Jacksta, Executive Director, Border Security and Facilitation, U.S. Customs and Border Security, Rear Admiral Larry Hereth, U.S. Coast Guard, and Richard L. Skinner, Acting Inspector General, Office of Inspector General, all of the Department of Homeland Security; Margaret T. Wrightson, Director, Homeland Security and Justice Issues, Government Accountability Office; Jean Godwin, American Association of Port Authorities, Alexandria, Virginia; and Christopher Koch, World Shipping Council, Washington, D.C.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee began markup of proposed comprehensive energy legislation, focusing on provisions relating to Indian Energy, Department of Energy Management, and Personnel and Training, but did not complete action thereon, and will meet again tomorrow.

NUCLEAR SECURITY

Committee on Environment and Public Works: Committee concluded a closed hearing to examine nuclear security issues, receiving testimony from officials of the Nuclear Regulatory Commission.

COMMISSION FOR AFRICA

Committee on Foreign Relations: Committee concluded a hearing to examine the Commission for Africa, recommendations for a coherent strategy for African development and reform, after receiving testimony from former Senator Nancy Kassebaum-Baker, and Tidjane Thiam, Aviva, London, United Kingdom, both on behalf of the Commission for Africa; and Nancy Birdsall, Center for Global Development, Washington, D.C.

OIL FOR FOOD

Committee on Homeland Security and Governmental Affairs: Permanent Subcommittee on Investigations held a hearing to examine the United Nations' Oil-for-Food Program, the illegal surcharges paid on Iraqi oil sales, and the nature and extent of the 2003 Khor al-Amaya incident, receiving testimony from George Galloway, Member of Parliament for Bethnal Green and Bow, Great Britain; and Mark L. Greenblatt, Counsel, Dan M. Berkovitz, Counsel to the Minority, and Steven A. Groves, Counsel, all of the U.S. Senate Permanent Subcommittee on Investigations.

Hearing recessed subject to the call.

OLDER AMERICANS ACT REAUTHORIZATION

Committee on Health, Education, Labor, and Pensions: Subcommittee on Retirement Security and Aging held a hearing to examine the Administration's recommendations for the Older Americans Act Reauthorization, focusing on the National Family Caregiver Support Program, primary long-term care issues, and the aging population and workforce, receiving testimony from Josefina Carbonell, Assistant Secretary of Health and Human Services for Aging; and Emily DeRocco, Assistant Secretary of Labor for Employment and Training.

Hearing recessed subject to the call.

IMMIGRATION REFORM

Committee on the Judiciary: Subcommittee on Immigration, Border Security and Citizenship and the Subcommittee on Terrorism, Technology and Homeland Security held a joint hearing to examine strengthening our national security, regarding the need for comprehensive immigration reform, receiving testimony from Asa Hutchinson, Venable, LLP, Washington, D.C., former Under Secretary of Homeland Security for Border and Transportation Security; Margaret D. Stock, United States Military Academy, West Point, New York, on behalf of the American Immigration Lawyers Association; and Mark K. Reed, Border Management Strategies, LLC, Tucson, Arizona.

Hearing recessed subject to the call.

BUSINESS MEETING

Select Committee on Intelligence: Committee met in closed session to consider pending intelligence matters.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Measures Introduced: 33 public bills, H.R. 2385–2417; and 7 resolutions, H. Con. Res. 154–155, and H. Res. 280–282; 284–285 were introduced. **Page 10035**

Additional Cosponsors: **Page 10037**

Reports Filed: Reports were filed today as follows:

H. Res. 283, providing for consideration of the bill (H.R. 1817) to authorize approppriations for fiscal year 2006 for the Department of Homeland Security, and for other purposes (H. Rept. 109–84). **Page 10035**

Speaker: Read a letter from the Speaker wherein he appointed Representative Lynn A. Westmoreland to act as Speaker Pro Tempore for today. **Page 9932**

Recess:

The House recessed at 9:10 a.m. and reconvened at 10 a.m. **Page 9933**

Department of Homeland Security Appropriations Act for Fiscal Year 2006: The House passed H.R. 2360, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006, by the Yeas and Nays: 424–1 (Roll no. 180). **Page 9943**

Agreed to:

Musgrave amendment that increases funding for state and local programs in the Office of State and Local Government Coordination and Preparedness; **Page 9975**

Sabo amendment that increases funding for Firefighter Assistance Grants; **Page 9976**

King of Iowa amendment that reduces and then increases funding for Immigration and Customs Enforcement salaries and expenses; **Page 9985**

Tom Davis of Virginia amendment (no. 2 printed in the Congressional Record of May 16) that will terminate the background check provision in the bill once the President selects a single agency to conduct security clearance investigations pursuant to the Intelligence Reform and Terrorism Prevention Act and Congress has been informed that the agency can conduct all necessary investigations in a timely manner or that the agency has authorized entities within the Homeland Security Department to conduct their own investigations; **Page 9995**

Jackson-Lee amendment that prohibits the use of funds to patrol the U.S. border except as authorized by law; **Page 10001**

Menendez amendment (no. 14 printed in the Congressional Record of May 16) that increases funding for state and local grant programs, intended to enhance the security of chemical plants (by a recorded vote of 225 ayes to 198 noes, Roll No. 176); and **Pages 9979, 10002**

Obey amendment that provides funds for grants to assist States in conforming with minimum drivers' license standards (agreed to limit the time for debate on the amendment) (by a recorded vote of 226 ayes to 198 noes, Roll No. 179). **Pages 9999, 10004**

Rejected:

Jackson-Lee amendment that sought to increase the funding for Citizenship and Immigration Services; **Page 9973**

Poe amendment (no. 10 printed in the Congressional Record of May 16) that sought to prohibit the use of funds to carry out two provisions in the Aviation and Transportation Security Act (the request for a recorded vote was later vacated); **Pages 9996, 9999**

Tancredo amendment (no. 1 printed in the Congressional Record of May 16) that sought to prohibit the use of funds from being available to assist any State or local government that prohibits or restricts the free flow of information between local law enforcement units and the Bureau of Immigration and Customs Enforcement (point of order raised against the amendment was overruled) (by a recorded vote of 165 ayes to 258 noes, Roll No. 177); and **Pages 9993, 10003**

Meeks amendment that sought to prohibit the use of funds to close any detention facility operated by or on behalf of U.S. Immigration and Customs Enforcement that has been operational in 2005 (agreed to limit the time for debate on the amendment) (by a recorded vote of 199 ayes to 223 noes, Roll No. 178). **Pages 9997, 10004**

Withdrawn:

Souder amendment (no. 9 printed in the Congressional Record of May 16) that was offered and subsequently withdrawn that sought to provide for $6 million of the funds appropriated for the Office of the Secretary be used for the Office of Counternarcotics Enforcement; **Page 9967**

Jackson-Lee amendment that was offered and subsequently withdrawn that sought to increase funding for Citizenship and Immigration Services; **Page 9968**

LoBiondo amendment (no. 7 printed in the Congressional Record of May 16) that was offered and subsequently withdrawn that sought to increase funding for the Coast Guard's Deepwater program to replace aging vessels and planes; **Page 9969**

LaTourette amendment that was offered and subsequently withdrawn that sought to eliminate funding for trucking industry security grants, intercity bus security grants, and intercity passenger rail transportation, freight rail, and transit security grants; and **Page 9988**

Tiahrt amendment that was offered and subsequently withdrawn that sought to prohibit the use of funds to promulgate regulations without consideration of the effect of such regulations on the competitiveness of American businesses. **Page 9998**

Point of Order sustained against:

Hostettler amendment that would have increased funding for Customs and Border Protection and for Immigration and Customs Enforcement; **Page 9967**

Provision under the portion of the bill regarding Aviation Security, beginning at the colon on page 17, line 2 through the word "intent" on line 11, regarding the Government's share of the costs of airport projects; **Page 9986**

Provision regarding National Pre-Disaster Mitigation Fund beginning on page 36 line 19, the word "and" through line 22, the word "funds"; and **Page 9989**

Obey amendment that sought to increase funding for Customs and Border Protection, Immigration and Customs Enforcement, and the Federal Law Enforcement Training Center. **Page 9999**

H. Res. 278, the rule, as amended, providing for consideration of the bill was agreed to by a recorded vote of 222 ayes to 185 noes and 2 voting "present", Roll No. 175. **Page 9937**

Agreed to an amendment offered by Representative Sessions by voice vote, after agreeing to order the previous question on the amendment and the resolution by a yea-and-nay vote of 223 yeas to 185 nays, Roll No. 174. **Page 9942**

Presidential Message: Read a message from the President wherein he notified the Congress of the continuation of the National Emergency with respect to Burma—referred to the Committee on International Relations and ordered printed (H. Doc. 109–27). **Page 10006**

Committee Election: The House agreed to H. Res. 281, electing Representative Chocola to the Committee on the Budget. **Page 10007**

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of the House today, and 5 Recorded votes developed during the proceedings of the House today and appear on pages 9942–43 and 10002–06. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 10:23 p.m.

Committee Meetings

HIGH SCHOOL REFORM

Committee on Education and the Workforce: Held a hearing entitled "High School Reform: Examining State and Local Efforts." Testimony was heard from the following Governors: W. Mitt Romney, Massachusetts; and Thomas Vilsack, Iowa.

EMPLOYER-SPONSORED HEALTH CARE

Committee on Education and the Workforce: Subcommittee on Employer-Employee Relations held a hearing entitled "Examining Pay-for-Performance Measures and Other Trends in Employer-Sponsored Health Care." Testimony was heard from public witnesses.

DRUG TESTING PROGRAMS SUBVERSION

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "Subversion of Drug Testing Programs." Testimony was heard from Robert Cramer, Office of Special Investigations, GAO; Robert Stephenson, Substance Abuse and Mental Health Services Administration, Department of Health and Human Services; and public witnesses.

In refusing to give testimony at this hearing, the following individuals: Dennis Catalano, President, Puck Technology; Michael Fichera, Health Choice of New York, Inc.; and Matt Stephens, President, Spectrum Labs, invoked Fifth Amendment privileges.

STATE AND LOCAL HOUSING FLEXIBILITY ACT

Committee on Financial Services: Subcommittee on Housing and Community Opportunity held a hearing on H.R. 1999, State and Local Housing Flexibility Act of 2005. Testimony was heard from Rudy Monteil, Executive Director, Housing Authority, Los Angeles, California; Renee Glover, Chief Executive Officer, Housing Authority, Atlanta, Georgia; Daniel Nackerman, Executive Director, Housing Authority, County of San Bernardino, California; and public witnesses.

FEDERAL FOOD INSPECTION PROGRAM; COMMITTEE BUSINESS

Committee on Government Reform: Subcommittee on Federal Workforce and Agency Organization approved for full Committee action the following bills: H.R. 994, To amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums; H.R. 1283, To provide that transit pass transportation fringe benefits be made available to all qualified Federal employees in the National Capital Region; to allow passenger carriers which are owned or leased by the Government to be used to transport Government employees between their place of employment and mass transit facilities; and H.R. 1765, Generating Opportunity by Forgiving Educational Debt for Service Act of 2005.

The Subcommittee also held a hearing entitled "Question: What Is More Scrambled Than an Egg? Answer: the Federal Food Inspection Program." Testimony was heard from Robert A. Robinson, Managing Director, Natural Resources and Environment, GAO; Robert E. Brackett, Director, Center for Food Safety and Applied Nutrition, FDA, Department of Health and Human Services; Merle Pierson, Acting Under Secretary, Food Safety, USDA; Jim Jones, Director, Pesticide Programs, EPA; and Richard V. Cano, Acting Director, Seafood Inspection Program, National Marine Fisheries Service, NOAA, Department of Commerce.

MIDDLE EAST—FOSTERING DEMOCRACY

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations held a hearing entitled "Fostering Democracy in the Middle East: Defeating Terrorism with Ballots?" Testimony was heard from Mona Yacoubian, Special Adviser, Muslim World Initiative, United States Institute of Peace; and public witnesses.

OVERSIGHT—INTELLECTUAL PROPERTY THEFT IN CHINA

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property held an oversight hearing on Intellectual Property Theft in China. Testimony was heard from Victoria Espinel, Acting Assistant, U.S. Trade for Intellectual Property; and public witnesses.

OVERSIGHT—INTELLECTUAL PROPERTY THEFT IN RUSSIA

Committee on the Judiciary: Subcommittee on Courts, Internet, and Intellectual Property also held an oversight hearing on Intellectual Property Theft in Russia. Testimony was heard from Victoria Espinel, Acting Assistant, U.S. Trade Representative for Intellectual Property; and public witnesses.

DEPARTMENT OF HOMELAND SECURITY AUTHORIZATION ACT FOR FY 2006

Committee on Rules: Granted, by voice vote, a structured rule providing for the consideration of H.R. 1817, to authorize appropriations for fiscal year 2006 for the Department of Homeland Security, and for other purposes. The rule provides for one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Homeland Security. The rule waives all points of order against consideration of the bill. The rule provides that in lieu of the amendments recommended by the Committees of Homeland Security, Energy and Commerce, and the Judiciary now printed in the bill, the amendment in the nature of a substitute printed in part A of the Rules Committee report shall be considered as the original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the amendment in the nature of a substitute printed in part A of the Rules Committee report.

The rule makes in order only those amendments printed in part B of the Rules Committee report, which may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment or demand for division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in part B of the Rules Committee report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Cox, Representatives Shays, Souder, Ehlers, Manzullo, Kennedy of Minnesota, Wamp, Thompson of Mississippi, Loretta Sanchez of California, Markey, Lowey, Norton, Jackson-Lee of Texas, Meek of Florida, Oberstar, Costello, Slaughter, Engel, Waters, Eddie Bernice Johnson of Texas, Maloney, Menendez, Stupak, Cummings, Kennedy of Rhode Island, Ford, Inslee, McCarthy of New York, Reyes, Israel, Lynch, Ruppersberger, Barrow, and Higgins.

MISCELLANEOUS MEASURES

Committee on Science: Ordered reported the following bills: H.R. 50, amended, National Oceanic and Atmospheric Administration Act; H.R. 2364, amended, to establish a Science and Technology Scholarship Program to award scholarships to recruit and prepare students for careers in the National Weather Service and in Administration marine research, atmospheric research and satellite programs; H.R. 426, amended, Remote Sensing Applications Act of 2005; and H.R. 1022, George E. Brown, Jr. Near-Earth Object Survey Act.

SOCIAL SECURITY—PROTECTING AND STRENGTHENING

Committee on Ways and Means: Subcommittee on Social Security held a hearing on Protecting and Strengthening Social Security. Testimony was heard from Joanne B. Barnhart, Commissioner, SSA; Barbara D. Bovbjerg, Director, Education, Workforce, and Income Security Issues, GAO; and public witnesses.

WTO'S FUTURE

Committee on Ways and Means: Subcommittee on Trade held a hearing on the Future of the World Trade Organization. Testimony was heard from Peter F. Allgeier, Deputy U.S. Trade Representative; and public witnesses.

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Wednesday, May 18, 2005

Senate

Chamber Action

Routine Proceedings, pages 10050–10132

Measures Introduced: Seventeen bills and four resolutions were introduced, as follows: S. 1059–1075, and S. Res. 145–148. **Page 10116**

Measures Passed:

Recognizing Anniversary of Mount Saint Helens Eruption: Senate agreed to S. Res. 146, recognizing the 25th anniversary of the eruption of Mount St. Helens. **Page 10130**

National Internet Safety Month: Senate agreed to S. Res. 147, designating June 2005 as "National Internet Safety Month". **Page 10130**

Senate Leadership Portrait Display Authorization: Senate agreed to S. Res. 148, to authorize the display of the Senate Leadership Portrait Collection in the Senate Lobby. **Page 10131**

Nomination Considered: Senate began consideration of the nomination of Priscilla Richman Owen, of Texas, to be United States Circuit Judge for the Fifth Circuit. **Page 10050**

A unanimous-consent-time agreement was reached providing for further consideration of the nomination at 9:30 a.m., on Thursday, May 19, 2005. **Page 10132**

Appointments:

Senate Delegation to the NATO Parliamentary Assembly: The Chair, on behalf of the Vice President, in accordance with 22 U.S.C. 1928a–1928d, as amended, appointed the following Senators to the Senate Delegation to the NATO Parliamentary Assembly during the 109th Congress: Senators Sessions, Enzi, Bunning, and Coleman. **Page 10130**

Executive Reports of Committees: Senate received the following executive report of a committee:

Report to accompany the nomination of John Robert Bolton, of Maryland, to be the U.S. Representative to the United Nations, with the rank and status of Ambassador, and the U.S. Representative in the Security Council of the United Nations, and to be U.S. Representative to the Sessions of the General Assembly of the United Nations during his tenure of service as U.S. Representative to the United Nations (PN 326) (PN 327) (Ex. Rept. 109–1) **Page 10116**

Messages From the House: **Page 10115**

Measures Referred: **Page 10115**

Measures Read First Time: **Page 10115**

Executive Communications: **Page 10115**

Executive Reports of Committees: **Page 10116**

Additional Cosponsors: **Page 10116**

Statements on Introduced Bills/Resolutions: **Page 10117**

Additional Statements: **Page 10014**

Amendments Submitted: **Page 10129**

Privilege of the Floor: **Page 10130**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 8 p.m. until 9:30 a.m., on Thursday, May 19, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 10132.)

Committee Meetings

REGULATION NMS

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine Regulation National Market System (NMS) designed to strengthen our national market system for equity securities, focusing on recent market developments, after receiving testimony from John A. Thain, New York Stock Exchange, Robert Greifeld, NASDAQ Stock Market, and Edward J. Nicoll, Instinct Group, Inc., all of New York, New York; Gerald D. Putnam, Archipelago Holdings, Inc., Chicago, Illinois; and Meyer S. Frucher, Philadelphia Stock Exchange, Inc., Philadelphia, Pennsylvania.

HUMAN SPACE FLIGHT

Committee on Commerce, Science, and Transportation: Subcommittee on Science and Space concluded a hearing to examine human space flight, focusing on the status and role of the Space Shuttle in human space flight, plans for the Shuttle's retirement, progress in minimizing the gap between the retirement of the Space Shuttle and the introduction of the Crew Exploration Vehicle, after receiving testimony from Michael D. Griffin, Administrator, National Aeronautics and Space Administration; Allen Li, Director, Acquisition and Sourcing Management, Government Accountability Office; Joan Johnson-Freese, Chair, Department of National Security Decision Making, Naval War College, United States Navy; Michael J. McCulley, United Space Alliance, Houston, Texas; and Scott J. Horowitz, ATK Thiokol, Inc., Brigham City, Utah.

NOMINATIONS

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the nominations of David A. Sampson, of Texas, to be Deputy Secretary of Commerce, who was introduced by Senator Hutchison, and John J. Sullivan, of Maryland, to be General Counsel of the Department of Commerce, after the nominees testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee continued markup of proposed comprehensive energy legislation, focusing on provisions relating to coal, vehicles and fuels, hydrogen, and research and development, but did not complete action thereon, and will meet again tomorrow.

ECO-TERRORISM

Committee on Environment and Public Works: Committee concluded an oversight hearing to examine eco-terrorism, acts of politically motivated violence to force changes in attitudes about certain issues, specifically examining the Earth Liberation Front ("ELF") and the Animal Liberation Front ("ALF"), after receiving testimony from John E. Lewis, Deputy Assistant Director, Counterterrorism Division, Federal Bureau of Investigation, and Carson W. Carroll, Deputy Assistant Director, Field Operations, Bureau of Alcohol, Tobacco, Firearms, and Explosives, both of the Department of Justice; Bradley M. Campbell, New Jersey Department of Environmental Protection, Trenton; David Martosko, Center for Consumer Freedom, Washington, D.C.; David J. Skorton, The University of Iowa, Iowa City; and Monty A. McIntyre, Seltzer, Caplan, McMahon, Vitek, San Diego, California, on behalf of Garden Communities.

FLORIDA HURRICANES

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine Federal Emergency Management Agency's (FEMA) response to the

2004 Florida hurricanes, and its impact on taxpayers, and a related measure, S. 1059, to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to specify procedures for the conduct of preliminary damage assessments, to direct the Secretary of Homeland Security to vigorously investigate and prosecute instances of fraud, including fraud in the handling and approval of claims for Federal emergency assistance, after receiving testimony from Senator Nelson (FL); Richard L. Skinner, Acting Inspector General, and Michael D. Brown, Under Secretary for Emergency Preparedness and Response, both of the Department of Homeland Security.

BUSINESS MEETING

Committee on Health, Education, Labor and Pensions: Committee ordered favorably reported the following business items:

S. 1021, to reauthorize the Workforce Investment Act of 1998, with an amendment in the nature of a substitute, and

The nomination of Raymond Simon, of Arkansas, to be Deputy Secretary of Education.

INDIAN TRUST LANDS

Committee on Indian Affairs: Committee concluded an oversight hearing to examine issues relating to the taking of land into trust by the Bureau of Indian Affairs (BIA) for federally-recognized Indian tribes, focusing on land used for gaming purposes, after receiving testimony from George T. Skibine, Acting Deputy Assistant Secretary of the Interior for Policy and Economic Development, Office of Indian Affairs; David K. Sprague and John Shagonaby, both of the Gun Lake Tribe, Dorr, Michigan; James T. Martin, United South and Eastern Tribes, Inc., Nashville, Tennessee; Mike Jandernoa, 23 Is Enough, Grand Rapids, Michigan; and David Crosby, Santa Ynez, California.

PROTECTING THE JUDICIARY

Committee on the Judiciary: Committee concluded a hearing to examine issues relating to protecting the judiciary at home and in the courthouse, after receiving testimony from Senators Durbin and Obama; Judge Joan Humphrey Lefkow, United States District Court for the Northern District of Illinois; Judge Jane R. Roth, United States Court of Appeals for the Third Circuit, on behalf of the Judicial Conference of the United States; Chief Magistrate Judge Samuel Alba, United States District Court for the District of Utah; and Benigno G. Reyna, Director, and Kim R. Widup, United States Marshal for the Northern District of Illinois, both of the United States Marshals Service, Department of Justice.

House of Representatives

Chamber Action

Measures Introduced: 55 public bills, H.R. 2418–2472; 4 resolutions, H. Con. Res. 156–158, and H. Res. 286 were introduced. **Page 10252**

Additional Cosponsors: **Page 10254**

Reports Filed: Reports were filed today as follows:

Report on the Revised Suballocations of Budget Allocations for Fiscal Year 2006 (H. Rept. 109–85);

H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006 (H. Rept. 109–86); and

H. Res. 287, providing for consideration of H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006 (H. Rept. 109–87). **Page 10252**

Speaker: Read a letter from the Speaker wherein he appointed Representative Simpson to act as Speaker pro tempore for today. **Page 10133**

Chaplain: The prayer was offered today by Dr. Johnny Hunt, Pastor, First Baptist Church in Woodstock, Georgia. **Page 10133**

Discharge Petition: Representative Hooley moved to discharge the Committee on Rules from the consideration of H. Res. 267, providing for the consideration of H.R. 376, to amend title XVIII of the Social Security Act to authorize the Secretary of Health and Human Services to negotiate fair prices for Medicare prescription drugs on behalf of Medicare beneficiaries (Discharge Petition No. 1).

Homeland Security Authorization Act for Fiscal Year 2006: The House passed H.R. 1817, to authorize appropriations for fiscal year 2006 for the Department of Homeland Security, by a recorded vote of 424 ayes to 4 noes, Roll No. 189. **Page 10149**

Rejected the Thompson of Mississippi motion to recommit the bill back to the Committee on Homeland Security with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 199 ayes to 228 noes, Roll No. 188. **Page 10238**

Agreed to the amendment in the nature of a substitute printed in part A of H. Rept. 109–84 is considered as the original bill for the purpose of amendment, in lieu of the amendments reported by the Committees on Homeland Security, Energy and Commerce, and the Judiciary. **Page 10160**

Agreed to:

Cox amendment (no. 2 printed in H. Rept. 109–84) that authorizes funds to be appropriated for FY 2006 to reimburse States and localities for the costs associated with having State and local law enforcement trained and certified by DHS' Immigration and Customs Enforcement to enforce Federal immigration laws; **Page 10170**

Kennedy of Rhode Island amendment (no. 3 printed in H. Rept. 109–84) that will ensure that in replacing the color-coded terror alert system as required by the bill, that DHS draws on expertise in how to best communicate risk to the public; **Page 10174**

Cox amendment (no. 4 printed in H. Rept. 109–84) that requires DHS to coordinate its activities regarding protection of critical infrastructure with "other relevant Federal agencies"; **Page 10175**

Ehlers amendment (no. 6 printed in H. Rept. 109–84) that changes the "30 minute rule" that requires passengers on commercial flights into and out of Washington Reagan National Airport to remain seated for 30 minutes by reducing that time to 15 minutes; **Page 10177**

DeFazio amendment (no. 7 printed in H. Rept. 109–84) that makes improvements to the Federal Flight Deck Officers Program; **Page 10178**

Cardin amendment (no. 8 printed in H. Rept. 109–84) that adds the Information Assurance Directorate of the National Security Agency to the list of Federal agencies that the DHS Under Secretary for Science and Technology shall coordinate with on cybersecurity research and development activities; **Page 10179**

Slaughter amendment (no. 9 printed in H. Rept. 109–84) that improves pre-clearance border crossing programs; **Page 10180**

Wamp amendment (no. 11 printed in H. Rept. 109–84) that permits the Department of Energy laboratories to team up with a university or consortium of universities when competing for DHS's Centers for Excellence; **Page 10182**

Cardin amendment (no. 14 printed in H. Rept. 109–84) that requires DHS to conduct a study of the feasibility and desirability of expanding the "National Capital Region" area beyond its existing boundaries; **Page 10186**

Slaughter amendment (no. 15 printed in H. Rept. 109–84) that requires the Secretary of DHS to report to Congress within six months of the enactment of this bill on its efforts to reduce the imitation of badges, identification, uniforms, or other insignia used by any officer of DHS; improve the design of the various forms of DHS identification to prevent illegal replication; increase public awareness of imitation forms of Homeland Security identification; teach the public to identify authentic Homeland Security identification; assess the effectiveness of their efforts; and recommend any legislation or administrative actions necessary to achieve their objectives; **Page 10186**

Kennedy of Minnesota amendment (no. 16 printed in H. Rept. 109–84) that requires the Secretary to carry out an Advanced Technology Northern Border Security Pilot Program; **Page 10187**

Jackson-Lee amendment (no. 17 printed in H. Rept. 109–84) that instructs GAO to conduct a study examining the impact of an increase in Temporary Protected Status application fees on the nationals of countries for which TPS is available and the differential in cost between the current statutory fee and the cost-based fee proposed by Customs and Immigration Services; **Page 10188**

Manzullo amendment (no. 21 printed in H. Rept. 109–84) that strengthens the "Buy American Act"; **Page 10197**

Putnam amendment (no. 22 printed in H. Rept. 109–84) as modified by unanimous consent, that allows FEMA reimbursement for funeral expenses only if the death was determined by a medical examiner to be caused by a natural disaster; **Page 10197**

Souder amendment (no. 23 printed in H. Rept. 109–84) that extends the current authorization of appropriations for the Office of Counternarcotics Enforcement at DHS to fiscal year 2006; **Page 10200**

Hooley amendment (no. 13 printed in H. Rept. 109–84) that prohibits any money in the DHS authorization bill to come from an increase in airline ticket taxes (by a recorded vote of 363 ayes to 65 noes, Roll No. 184); and **Pages 10184, 10235**

Norwood amendment (no. 18 printed in H. Rept. 109–84), that clarifies the existing authority of State and local enforcement personnel to apprehend, detain, remove, and transport illegal aliens in the routine course of duty (by a recorded vote of 242 ayes to 185 noes, Roll No. 185). **Pages 10190, 10235**

Rejected:

Meek of Florida amendment (no. 1 printed in H. Rept. 109–84) that sought to increase funding for the Department of Homeland Security's Office of Inspector General (by a recorded vote of 184 ayes to 244 noes, Roll No. 183); **Pages 10169, 10234**

Jackson-Lee amendment (no. 20 printed in H. Rept. 109–84) that sought to have the Secretary of DHS submit a report to Congress on the number and types of border violence activities that have occurred; the types of activities involved; a description of the categories of victims that exists; and a description of the steps that DHS is taking and any plan that the Department had formulated to prevent these activities (by a recorded vote of 182 ayes to 245 noes, Roll No. 186); and **Pages 10195, 10236**

Thompson amendment in the nature of a substitute (no. 24 printed in H. Rept. 109–84) that sought to authorize $6.9 million over H.R. 1817 in homeland security funding, and includes a number of policy proposals to close security gaps and to restructure DHS (by a recorded vote of 196 ayes to 230 noes, Roll No. 187). **Pages 10201, 10237**

Withdrawn:

Eddie Bernice Johnson of Texas amendment (no. 5 printed in H. Rept 109–84) that was offered and subsequently withdrawn that sought to authorize a limited amount for grants for the National Medical Preparedness Consortium to standardize training, national health care policies, and standards of care for emergency medical professionals to prepare for mass casualties resulting from a terrorist event involving WMD; **Page 10176**

Souder amendment (no. 10 printed in H. Rept 109–84) that was offered and subsequently withdrawn that sought to make the Customs and Border Protection's Office of Air and Marine Operations the lead DHS agency to conduct airspace security around the Nation's Capitol and for special events of national significance; and **Page 10180**

Thompson (MS) amendment (no. 12 printed in H. Rept 109–84) that was offered and subsequently withdrawn that sought to require the Secretary of DHS to report to Congress on how to coordinate and protect the various infrastructure in the area between Port Elizabeth and Newark International Airport, New Jersey. **Page 10183**

Agreed that the Clerk be authorized to make technical and conforming changes in engrossment of the bill to reflect the actions of the House. **Page 10241**

H. Res. 283, the rule providing for consideration of the bill was agreed to by a recorded vote of 284 ayes to 124 noes, Roll No. 182, after agreeing to order the previous question by a yea-and-nay vote of 226 yeas to 199 nays, Roll No. 181. **Page 10136**

House Democracy Assistance Commission—Appointment: The Chair announced the Speaker's appointment of the following Members to the House Democracy Assistance Commission: Representatives Dreier (Chairman), Kolbe, Gillmor, Kirk, Boozman, Wilson (SC), Cole (OK), Miller (MI), and Fortenberry. **Page 10149**

Read a letter from the Minority Leader wherein she appointed Representatives Price (NC) (Ranking Member), Reyes, Capps, Holt, Schiff, Davis (AL), and Schwartz (PA) to the House Democracy Assistance Commission. **Page 10149**

Quorum Calls—Votes: One yea-and-nay vote and eight recorded votes developed during the proceedings today and appear on pages 10147–49, 10234–37, and 10240–41. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 8:45 p.m.

Committee Meetings

MILITARY QUALITY OF LIFE—VA/ENERGY AND WATER DEVELOPMENT APPROPRIATIONS FISCAL YEAR 2006; REVISED SUBALLOCATION OF BUDGET ALLOCATIONS FISCAL YEAR 2006

Committee on Appropriations: Ordered reported the following appropriations for Fiscal Year 2006: Military Quality of Life, and Veterans Affairs, and Related Agencies appropriations; and the Energy and Water Development, and Related Agencies.

The Committee approved the Revised Suballocation of Budget Allocations for Fiscal Year 2006.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2006

Committee on Armed Services: Ordered reported, as amended, H.R. 1815, National Defense Authorization Act for Fiscal Year 2006.

SCHOOL READINESS ACT

Committee on Education and the Workforce: Ordered reported, as amended, H.R. 2123, School Readiness Act of 2005.

DRUG FREE SPORTS ACT

Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protection held a hearing on H.R. 1862, Drug Free Sports Act. Testimony was heard from Frank Shorter, former Chairman, United States Anti-Doping Agency; Donald P. Garber, Commissioner, Major League Soccer; Robert Foose, Executive Director, Major League Soccer Players Union; Allan H. Selig, Commissioner, Major League Baseball; Donald Fehr, Executive Director, Major League Baseball Players Association; Gary Bettman, Commissioner, National Hockey League; Robert Goodenow, Executive Director, National Hockey League Players Association; David Stern, Commissioner, National Basketball Association; and William Hunter, Executive Director, National Basketball Players Association.

Hearings continue tomorrow.

INCREASING GENERIC DRUG UTILIZATION

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled "Increasing Generic Drug Utilization: Saving Money for Patients." Testimony was heard from public witnesses.

ENHANCING DATA SECURITY

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled "Enhancing Data Security: The Regulators' Perspective." Testimony was heard from Lydia B. Parnes, Director, Bureau of Consumer Protection, FTC; Sandra Thompson, Deputy Director, Division of Supervision and Consumer Protection, FDIC; and Robert M. Fenner, General Counsel, National Credit Union Administration.

MISCELLANEOUS MEASURES; KOSOVO: CURRENT AND FUTURE STATUS

Committee on International Relations: Approved a motion authorizing the Chairman to request that the following measures be considered under suspension of the rules: H. Con. Res. 44, Recognizing the historical significance of the Mexican holiday of Cinco do Mayo; H. Con. Res. 89, Honoring the life of Sister Dorothy Stang; H. Con. Res. 149, amended, Recognizing the 57th anniversary of the independence of the State of Israel; H. Res. 191, Urging the Government of Romania to recognize its responsibilities to provide equitable, prompt, and fair restitution to all religious communities for property confiscated by the former Communist government in Romania; H. Res. 272, Recognizing the historic steps India and Palistan have taken toward achieving bilateral peace; H. Res. 273, amended, Urging the withdrawal of all Syrian forces from Lebanon, support for free and fair democratic elections in Lebanon, and the development of democratic institutions and safeguards to foster sovereign democratic rule in Lebanon; H. Res. 282, Expressing the sense of the House of Representatives regarding anti-Semitism at the United Nations; H. Con. Res. 153, Welcoming His Excellency Hamid Karzi, the President of Afghanistan, on the occasion of his visit to the United States in May 2005, and expressing support for a strong and enduring strategic partnership between the United States and Afghanistan.

The Committee also held a hearing on Kosovo: Current and Future Status. Testimony was heard from R. Nicholas Burns, Under Secretary, Political Affairs, Department of State; Mira R. Ricardel, Acting Assistant Secretary, International Security Policy, Department of Defense; Daniel P. Serwer, Vice-President and Director, Peace and Stability Operations, and Balkans Initiate, United States Institute of Peace; and public witnesses.

UN PEACEKEEPING REFORM

Committee on International Relations: Subcommittee on Africa, Global Human Rights and International Operations held a hearing on UN Peacekeeping Reform: Seeking Greater Accountability and Integrity. Testimony was heard from Philo L. Dibble, Principal Deputy Assistant Secretary, Bureau of International Organization Affairs, Department of State; and public witnesses.

MISCELLANEOUS MEASURES

Committee on International Relations: Subcommittee on the Middle East and Central Asia approved for full Committee action the following measures: H. Con. Res. 149, amended, Recognizing the 57th anniversary of the independence of the State of Israel; H. Res. 273, amended, Urging the withdrawal of all Syrian forces from Lebanon, support for free and fair democratic elections in Lebanon, and the development of democratic institutions and safeguards to foster sovereign democratic rule in Lebanon; H. Res. 282, Expressing the sense of the House of Representatives regarding anti-Semitism at the United Nations; and H. Con. Res. 153, Welcoming His Excellency Hamid Karzi, the President of Afghanistan, on the occasion of his visit to the United States in May 2005, and expressing support for a strong and enduring strategic partnership between the United States and Afghanistan.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Ordered reported the following bills: H.R. 742, Occupational Safety and Health Employer Access to Justice Act of 2005; H.R. 2293, To provide special immigrant status for aliens as translators with the United States Armed Forces; and H.R. 744, Internet Spyware Prevention (I–SPY) Act of 2005.

The Committee also continued mark up of H.R. 800, Protection of Lawful Commerce on Arms Act.

MISCELLANEOUS MEASURES

Committee on Resources: Ordered reported the following measures H.R. 38, Upper White Salmon Wild and Scenic Rivers Act; H.R. 125, amended, To authorize the Secretary of the Interior to construct facilities to provide water for irrigation, municipal, domestic, military, and other uses from the Santa Margarita River, California; H.R. 362, amended, Ojito Wilderness Act; H.R. 394, amended, To direct the Secretary of the Interior to conduct a boundary study to evaluate the significance of the Colonel James Barrett Farm in the Commonwealth of Massachusetts and the suitability and feasibility of its inclusion in the National Park System as apart of the Minute Man National Historical Park; H.R. 432, Betty Dick Residence Protection Act; H.R. 481, amended, Sand Creek Massacre National Historic Site Establishment Act of 2005; H.R. 517, Secure Rural Schools and Community Self-Determination Reauthorization Act of 2005; H.R. 539, amended, Caribbean National Forest Act of 2005; H.R. 599, amended, Federal Lands Restoration, Enhancement, Public Education, and Information Resources Act of 2005; H.R. 774, Rocky Mountain National Park Boundary Adjustment Act of 2005; H.R. 853, To remove certain restrictions on the Mammoth Community Water District's ability to use certain property acquired by that District from the United States; H.R. 873, Northern Marianas Delegate Act; H.R. 975, Trail Responsibility and Accountability for the Improvement of Lands Act; H.R. 1084, To authorize the establishment at Antietam National Battlefield of a memorial to the officers and enlisted men of the Fifth, Sixth, and Ninth New Hampshire Volunteer Infantry Regiments and the First New Hampshire Light Artillery Battery who fought in the Battle of Antietam on September 17, 1862; H.R. 1428, amended, National Fish and Wildlife Foundation Reauthorization Act of 2005; H.R. 1492, amended, To provide for the preservation of the historic confinement sites where Japanese Americans were detained during World War II; H.R. 1797, Spokane Tribe of Indians of the Spokane Reservation Grand Coulee Dam Equitable Compensation Settlement Act; H.R. 1905, Small Tracts Reform Act; H.R. 2130, Marine Mammal Protection Act Amendments of 2005; and H.R. 2362, National Geologic Mapping Reauthorization Act of 2005.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

Committee on Rules: Granted by voice vote, an open rule providing for consideration of H.R. 2361, a bill making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes. The rule provides for one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. Under the rules of the House the bill shall be read for amendment by paragraph. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill), except as specified in the resolution. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. Finally, the rule provides one motion to recommit with or without instructions.

NANOTECHNOLOGY INITIATIVE

Committee on Science: Subcommittee on Research held a hearing on The National Nanotechnology Initiative: Review and Outlook. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Transportation and Infrastructure: Ordered reported the following measures: H. Con. Res. 145, Expressing the sense of Congress in support of a national bike month and in appreciation of cyclists and others for promoting bicycle safety and the benefits of cycling; H. Res. 243, Recognizing the Coast Guard, the Coast Guard Auxiliary, and the National Safe Boating Council for their efforts to promote National Safe Boating Week; H.R. 624, To amend the Federal Water Pollution Control Act to authorize appropriations for sewer overflow control grants; H.R. 889, amended, Coast Guard and Maritime Transportation Act of 2005; H.R. 1359, amended, To amend the Federal Water Pollution Control Act to extend the pilot program for alternative water source projects; and H. Con. Res. 152, amended, Commemorating Mystic Seaport: the Museum of America and the Sea in recognition of its 75th year.

The Committee also approved GSA 3314(b) Resolutions.

TELEMEDICINE HEALTH CARE

Committee on Veterans' Affairs: Subcommittee on Health held an oversight hearing on the use and development of telemedicine technologies in the Department of Veterans Affairs health care system. Testimony was heard from the following officials of the Department of Veterans Affairs: Adam W. Darkins, M.D., Chief Consultant, Office of Care Coordination; Ross D. Fletcher, M.D., Chief of Staff, VA Medical Center, Washington, DC, Linda Godleski, M.D., VHA Lead for Telemental Health, Office of Care Coordination, Associate Chief of Staff for Education, VA Health Care System, State of Connecticut; B. Christopher Frueh, Staff Psychologist, VA Medical Center, State of South Carolina; and Sydney Wertenberger, R.N., Associate Director, Patient Care Services, VA Medical Center, Poplar Bluff, Missouri; Carolyn Clancy, M.D., Director, Agency for Healthcare Research and Quality, Department of Health and Human Services; and public witnesses.

PROTECT FOSTER CHILDREN ENROLLED IN CLINICAL TRIALS

Committee on Ways and Means: Subcommittee on Human Resources held a hearing on Protections for Foster Children Enrolled in Clinical Trials. Testimony was heard from Donald Young, M.D., Acting Principal Deputy Assistant Secretary, Planning and Evaluation, Department of Health and Human Services; Roberta Harris, Deputy Secretary, Department of Health and Family Services, State of Wisconsin; and public witnesses.

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Thursday, May 19, 2005

Senate

Chamber Action

Routine Proceedings, pages 10404–10504

Measures Introduced: Fourteen bills and four resolutions were introduced, as follows: S. 1076–1089, S. Res. 149–151, and S. Con. Res. 35. **Page 10485**

Measures Passed:

Baltic Countries Occupation: Senate agreed to S. Con. Res. 35, expressing the sense of Congress that the Government of the Russian Federation should issue a clear and unambiguous statement of admission and condemnation of the illegal occupation and annexation by the Soviet Union from 1940 to 1991 of the Baltic countries of Estonia, Latvia, and Lithuana. **Page 10501**

Victims of Communism Memorial: Senate agreed to S. Res. 150, expressing continued support for the construction of the Victims of Communism Memorial. **Page 10502**

Recognizing Israel's Independence Anniversary: Senate agreed to S. Res. 151, recognizing the 57th Anniversary of the Independence of the State of Israel. **Page 10503**

Nomination Considered: Senate continued consideration of the nomination of Priscilla Richman Owen, of Texas, to be United States Circuit Judge for the Fifth Circuit. **Page 10404**

A unanimous-consent-time agreement was reached providing for further consideration of the nomination at 9:30 a.m., on Friday, May 20, 2005. **Page 10503**

Nomination Referral—Agreement: A unanimous-consent agreement was reached providing that the nomination of Edmund S. Hawley, of California, to be an Assistant Secretary of Homeland Security be referred to the Committee on Commerce, Science, and Transportation and that further, upon the reporting out or discharge of the nomination, that the nomination be referred to the Committee on Homeland Security and Governmental Affairs for a period of not to exceed 30 days, after which time, the nomination, if still in the Committee, will be discharged and placed on the executive calendar. **Page 10501**

Messages From the President: Senate received the following messages from the President of the United States:

Transmitting, pursuant to law, a report of the continuation of the national emergency protecting the Development Fund for Iraq and certain other property in which Iraq has an interest, and the Central Bank of Iraq, and to maintain in force the sanctions to respond to this threat; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–11) **Page 10485**

Transmitting, pursuant to law, the 2005 Comprehensive Report on U.S. Trade and Investment Policy for Sub-Saharan Africa and Implementation of the African Growth and Opportunity Act; which was referred to the Committee on Finance. (PM–12) **Page 10485**

Nominations Received: Senate received the following nominations:

Edmund S. Hawley, of California, to be an Assistant Secretary of Homeland Security.

1 Air Force nomination in the rank of general. **Page 10504**

Messages From the House: **Page 10483**

Measures Referred: **Page 10483**

Measures Placed on Calendar: **Page 10483**

Measures Read First Time: **Page 10483**

Executive Communications: **Page 10483**

Additional Cosponsors: **Page 10486**

Statements on Introduced Bills/Resolutions: **Page 10486**

Additional Statements: **Page 10481**

Notices of Hearings/Meetings: **Page 10501**

Authority for Committees to Meet: **Page 10501**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 8:52 p.m. until 9:30 a.m., on Friday, May 20, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 10503.)

Committee Meetings

APPROPRIATIONS: EPA

Committee on Appropriations: Subcommittee on Interior and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the Environmental Protection Agency, after receiving testimony from Steven L. Johnson, Administrator, Environmental Protection Agency.

REGULATION NMS

Committee on Banking, Housing, and Urban Affairs: Committee concluded hearings to examine Regulation National Market System (NMS) designed to strengthen our national market system for equity securities, focusing on recent market developments, after receiving testimony from William H. Donaldson, Chairman, U.S. Securities and Exchange Commission.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee continued markup of proposed comprehensive energy legislation, focusing on provisions relating to Energy Efficiency and Electricity, but did not complete action thereon, and will meet again on Tuesday, May 24.

ENDANGERED SPECIES ACT

Committee on Environment and Public Works: Subcommittee on Fisheries, Wildlife, and Water concluded an oversight hearing to examine the implementation of the Endangered Species Act (Public Law 93–205), focusing on successes and shortcomings of the Act, and possible improvements to ensure species protection in the future, after receiving testimony from Senator Crapo; Craig Manson, Assistant Secretary of the Interior for Fish and Wildlife and Parks; James H. Lecky, Senior Advisor for Intergovernmental Programs, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce; Robin M. Nazzaro, Director, Natural Resources and Environment, Government Accountability Office; John F. Kostyack, National Wildlife Federation, Jamie Rappaport Clark, Defenders of Wildlife, and Monita Fontaine, National Endangered Species Act Reform Coalition, all of Washington, D.C.; and Reed Hopper, Pacific Legal Foundation, Sacramento, California.

IRAN

Committee on Foreign Relations: Committee concluded hearings to examine weapons proliferation, terrorism and democracy in Iran, after receiving testimony from R. Nicholas Burns, Under Secretary of State for Political Affairs; and Geoffrey Kemp, The Nixon Center, Gary Milhollin, Wisconsin Project on Nuclear Arms Control, George Perkovich, Carnegie Endowment for International Peace, and Abbas William Samii, Radio Free Europe/Radio Liberty, all of Washington, D.C.

Also, committee met in closed session to receive a briefing on weapons proliferation, terrorism and democracy in Iran from officials of the intelligence community.

NOMINATION

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nomination of Philip J. Perry, of Virginia, to be General Counsel, Department of Homeland Security, after the nominee, who was introduced by Senator Warner, testified and answered questions in his own behalf.

NOMINATIONS

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nominations of Carolyn L. Gallagher, of Texas, who was introduced by Senator Cornyn, and Louis J. Giuliano, of New York, who was introduced by Senator Warner, each to be a Governor of the United States Postal Service, and Tony Hammond, of Virginia, to be a Commissioner of the Postal Rate Commission, who was introduced by Senator Bond, after the nominees testified and answered questions in their own behalf.

AMERICAN WORKFORCE

Committee on Health, Education, Labor, and Pensions: Committee met to discuss issues relating to higher education and corporate leaders, focusing on defining the roles industry and institutions of higher education will have to ensure that the United States has the skilled and diverse workforce it will need to succeed today and in the future, after receiving testimony from Louis Caldera, University of New Mexico, Albuquerque; Robert Craves, Washington Education Foundation, Issaquah, Washington; Edward J. Hoff, IBM, Armonk, New York; Edison Jackson, Medgar Evers College—City University of New York, Brooklyn; Patricia McGuire, Trinity University, Washington, D.C.; James Mullen, Biogen Idec, Cambridge, Massachusetts; Walter Nolte, Casper College, Casper, Wyoming; Laura Palmer-Noone, University of Phoenix, Phoenix, Arizona; Charles B. Reed, California State University, Long Beach; and Patrick J. Sweeney, Odin Technologies, Reston, Virginia.

BUSINESS MEETING

Committee on the Judiciary: Committee resumed markup of S. 852, to create a fair and efficient system to resolve claims of victims for bodily injury caused by asbestos exposure, but did not complete action thereon, and recessed subject to the call.

House of Representatives

Chamber Action

Measures Introduced: 45 public bills, H.R. 2373–2517; and 7 resolutions, H. Con. Res. 159–162; and H. Res. 288–290 were introduced. **Page 10400**

Additional Cosponsors: **Page 10402**

Reports Filed: Reports were filed today as follows: H.R. 2046, to amend the Servicemembers Civil Relief Act to limit premium increases on reinstated health insurance on servicemembers who are released from active military service, amended (H. Rept. 109–88). **Page 10400**

Recess: The House recessed at 9:03 a.m. and reconvened at 10:35 a.m. **Pages 10261, 10288**

Reception in the House Chamber to Receive Former Members of Congress: The House recessed to receive the United States Association of Former Members of Congress in the House Chamber. Later, agreed to the Kingston motion that the proceedings had during the recess be printed in the Record. **Page 10261**

Department of the Interior, Environment, and Related Agencies Appropriations Act for Fiscal Year 2006: The House passed H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, by a yea and nay vote of 329 yeas to 89 nays, Roll No. 199. **Page 10297**

Rejected the Obey motion to recommit the bill to the Committee on Appropriations with instructions to report the same promptly with an amendment, by a recorded vote of 191 ayes to 228 noes, Roll No. 198. **Page 10380**

Agreed to limit the number of amendments made in order for debate and the time limit for debate on each amendment. **Pages 10312, 10337**

Agreed to:

Slaughter amendment that increases funding for the National Endowment for the Arts and the National Endowment for the Humanities (agreed to limit the time for debate on the amendment); **Page 10318**

Cubin amendment that increases funding for the Payments in Lieu of Taxes program (agreed to limit the time for debate on the amendment); **Page 10324**

Grijalva amendment (No. 17 printed in the Congressional Record of May 18) that increases and then decreases funding for employee travel expenses at the EPA; **Page 10344**

Gillmor amendment that replaces language in the section of the bill regarding State and Tribal Assistance Grants; **Page 10349**

Eddie Bernice Johnson of Texas amendment (No. 13 printed in the Congressional Record of May 18) that increases funding for the assessment and cleanup of Brownfield sites; **Page 10349**

Taylor of North Carolina that increases funding for the National Forest System; **Page 10351**

Doolittle amendment that prohibits the use of funds for the Department of the Interior to implement the first proviso under the heading "United States Fish and Wildlife Service—Land Acquisition; **Page 10369**

Hastings of Florida amendment that prohibits the use of funds in contravention of Executive Order 12898 or to delay the implementation of that Order; **Page 10369**

Stupak amendment (No. 5 printed in the Congressional Record of May 18) that prohibits the use of funds to finalize, issue, implement, or enforce the proposed policy of the EPA entitled National Pollutant Discharge Elimination System Permit Requirements for Municipal Wastewater Treatment During Wet Weather Conditions dated November 3, 2003; **Page 10371**

Solis amendment that prohibits the use of funds for the Administrator of the EPA to accept, consider, or rely on third-party intentional dosing human studies for pesticides or to conduct intentional dosing human studies for pesticides; **Page 10377**

Garrett amendment (No. 3 printed in the Congressional Record of May 17) that prohibits the use of funds to send or otherwise pay for the attendance of more than 50 Federal employees at any single conference occurring outside the U.S.; **Page 10378**

Costa amendment that prohibits the use of funds for the Department of the Interior to enter into or renew any concession contract except a concession contract that includes a provision that requires that merchandise for sale at units of the National Park System be made in any State of the U.S., D.C., the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, or the Commonwealth of the Northern Mariana Islands; and **Page 10378**

Rahall amendment (No. 1 printed in the Congressional Record of May 16) that prohibits the use of funds for the sale or slaughter of wild free-roaming horses and burros (by a recorded vote of 249 ayes to 159 noes, Roll No. 196). **Pages 10365, 10379**

Rejected:

Hefley amendment that sought to increase funding for the Payments in Lieu of Taxes program (agreed to limit the time for debate on the amendment) (by a recorded vote of 109 ayes to 311 noes, Roll No. 191); **Pages 10327, 10353**

Peterson of Pennsylvania enbloc amendment that sought to insert the word "oil" after the word "offshore" in section 104; and strike the words "natural gas" from sections 105 and 106 of the bill (agreed to limit time for debate on the amendment) (by a recorded vote of 157 ayes to 262 noes, Roll No. 192); **Pages 10330, 10354**

Terry amendment (No. 4 printed in the Congressional Record of May 17) that sought to increase funding the EPA's Hazardous Substance Superfund (by a recorded vote of 76 ayes to 344 noes, Roll No. 193); **Pages 10343, 10354**

Obey amendment that sought to increase funding for the Clean Water State Revolving Fund (by a recorded vote of 186 ayes to 235 noes, Roll No. 194); **Pages 10345, 10355**

Beauprez amendment (No. 6 printed in the Congressional Record of May 18) that sought to increase funding for the Forest Service to fight wildfires (by a recorded vote of 122 ayes to 298 noes, Roll No. 195); and **Pages 10351, 10356**

Hefley amendment (No. 11 printed in the Congressional Record of May 18) that reduces the bill's total discretionary spending by 1 percent (by a recorded vote of 90 ayes to 326 noes, Roll No. 197). **Pages 10370, 10379**

Withdrawn:

Tiahrt amendment (No. 8 printed in the Congressional Record of May 18) that was offered and subsequently withdrawn that sought to prohibit the use of funds to promulgate regulations without outside auditing to determine the authenticity of the scientific method used to develop such regulations. **Page 10375**

Point of Order sustained against:

Wu amendment that sought to prohibit the use of funds to permit class III gaming activities under the Indian Gaming Regulatory Act on non-reservation Indian land; **Page 10335**

Istook amendment (No. 14 printed in the Congressional Record of May 18) that sought to state that the bill's ban on funding for offshore oil and gas drilling activities in the eastern Gulf of Mexico would not apply if the Energy Information Administration publishes data demonstrating that the net imports of crude oil account for more than ⅔ of U.S. consumption; **Page 10338**

Obey amendment that sought to insert a new section into Title II regarding Clean Water State Revolving Fund; **Page 10345**

Section beginning on page 67 line 17 with the words "except that" through line 22 at the word "contaminants"; **Page 10346**

Section on page 68 line 23 through page 69 line 3; **Page 10346**

Section beginning on page 69 line 19 with the word "That" through line 22 at the word "further"; **Page 10346**

Section 413 of the bill regarding Government-wide administrative functions; **Page 10363**

Section of the bill beginning on page 121 line 11 with the words "not withstanding" through the comma on line 12; **Page 10363**

Section of the bill beginning on page 121 line 22 with the words "not withstanding" through the word "laws" on line 23; **Page 10363**

Section of the bill beginning on page 124 line 6 with the words "not withstanding" through the end of line 7; **Page 10363**

Section of the bill on page 124 line 15 through line 25; **Page 10363**

Chabot amendment (No. 7 printed in the Congressional Record of May 18) that sought to prohibit the use of funds for the designing or construction of forest development roads in the Tongass National Forest for the purpose of harvesting timber by private entities or individuals; and **Page 10364**

Pombo amendment (No. 9 printed in the Congressional Record of May 18) that sought to allow funds in the bill for the Bureau of Land Management, Fish and Wildlife Service, National Park Service, and U.S. Geological Survey to be used only for programs that have been authorized before or after the date of enactment. **Page 10376**

H. Res. 287, the rule providing for consideration of the bill was agreed to by voice vote, after agreeing to order the previous question by a yea-and-nay vote of 215 yeas to 194 nays, Roll No. 190. **Page 10292**

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at 12:30 p.m. on Monday, May 23 for Morning Hour debate. **Page 10384**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, May 25. **Page 10384**

Presidential Message: Read a message from the President wherein he notified Congress of the continuation of the national emergency with respect to the Development Fund for Iraq, certain other property in which Iraq has an interest, and the Central Bank of Iraq—referred to the Committee on International Relations and ordered printed (H. Doc. 109–28). **Page 10384**

Read a message from the President wherein he submitted a report on the 2005 Comprehensive Report on U.S. Trade and Investment Policy Towards Sub-Saharan Africa and Implementation of the African Growth and Opportunity Act—referred to the Committee on Ways and Means and ordered printed (H. Doc. 109–29). **Page 10384**

Quorum Calls—Votes: Two yea-and-nay votes and eight recorded votes developed during the proceedings of today and appear on pages 10296, 10353–57, and 10379–82. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 10:08 p.m.

Committee Meetings

COMPETITIVENESS IN MATH AND SCIENCE

Committee on Education and the Workforce: Subcommittee on 21st Century Competitiveness, hearing entitled "Challenges to American Competitiveness in Math and Science." Testimony was heard from public witnesses.

DRUG FREE SPORTS ACT

Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protection concluded hearings on H.R. 1862, Drug Free Sports Act. Testimony was heard from David Stern, Commissioner, National Basketball Association; William Hunter, Executive Basketball Players Associate; Paul Tagliabue, Commissioner, National Football League; and Gene Upshaw, Executive Director, National Football League Players Association.

FINANCIAL SERVICES REGULATORY RELIEF

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled "Financial Services Regulatory Relief: Private Sector Perspectives." Testimony was heard from public witnesses.

STEROID USE IN SPORTS

Committee on Government Reform: Held a hearing entitled "Steroid Use in Sports Part III: Examining Basketball Association's Steroid Testing Program." Testimony was heard from the following officials of the National Basketball Association: David Stern, Commissioner, and Richard W. Buchanan, Senior Vice President and General Counsel; William Hunter, Executive Director, National Basketball Players Association; Keith Jones, Athletic Trainer, Houston Rockets; and Juan Dixon, Player, Washington Wizards.

RECREATIONAL BOATERS STREAMLINED INSPECTION ACT

Committee on Homeland Security: Subcommittee on Economic Security, Infrastructure Protection, and Cybersecurity held a hearing on H.R. 1509, Recreational Boaters Streamlined Inspection Act. Testimony was heard from Representative Foley; Robert Jacksta, Executive Director, Border Security and Facilitation, Office of Field Operations, U.S. Customs and Border Protection, Department of Homeland Security; and a public witness.

REFORMING THE UNITED NATIONS

Committee on International Relations: Held a hearing on Reforming the United Nations: Budget and Management Perspectives. Testimony was heard from Mark P. Lagon, Deputy Assistant Secretary, Bureau of International Organization Affairs, Department of State; former Senator Timothy E. Wirth of Colorado and President UN Foundation; and Catherine Bertini, former Under Secretary-General, Management, United Nations.

The Committee also held a briefing on this subject. Testimony was heard from Mark Malloch Brown, Chief of Staff to the Secretary-General, United Nations.

OVERSIGHT—HIGH ENERGY COSTS

Committee on Resources: Subcommittee on Energy and Mineral Resources held an oversight hearing entitled "The

Impacts of High Energy Costs to the American Consumer." Testimony was heard from public witnesses.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION ACT

Committee on Resources: Subcommittee on Fisheries and Oceans held a hearing on H.R. 50, National Oceanic and Atmospheric Administration Act. Testimony was heard from Representative Ehlers; VADM Conrad C. Lautenbacher, Jr., USN (Ret.), Under Secretary, Oceans and Atmosphere, Department of Commerce; and public witnesses.

ARCTIC NATIONAL WILDLIFE REFUGE DRILLING—BENEFITS SMALL BUSINESSES

Committee on Small Business: Subcommittee on Regulatory Reform and Oversight held a hearing on the benefits small businesses will receive if drilling is allowed in the Arctic National Wildlife Refuge. Testimony was heard from Representative King of Iowa; and public witnesses.

OVERSIGHT—TRANSITION FROM ACTIVE DUTY TO VETERANS' STATUS

Committee on Veterans' Affairs: Subcommittee on Oversight and Investigations held an oversight hearing regarding the Department of Veterans Affairs' and the Department of Defense's efforts to assist military personnel in making a "seamless transition" from active duty to veterans' status. Testimony was heard from Cynthia A. Bascetta, Director, Health Care—Veterans' Health and Benefits Issues, GAO; the following officials of the Department of Veterans Affairs: Brenda Faas, Social Worker, Veterans Health Administration; Linda Petty, Benefits Counselor, Veterans Benefits Administration; and John Brown, Director, Office of Seamless Transition; the following officials of the Department of Defense: MAJ Ladda Tammy Duckworth, USA, Patient, Walter Reed Army Medical Center; COL Gwendolyn Fryer, USA, Southern Regional Medical Command Military Liaison to James E. Haley Veterans Affairs Medical Center, Tampa, Florida; and COL Timothy Frank, USMC, Liaison Officer to the Secretary of Veterans Affairs; and a representative of a veterans organization.

AGING SOCIETY—RETIREMENT POLICY CHALLENGES AND OPPORTUNITIES

Committee on Ways and Means: Held a hearing on the Retirement Policy Challenges and Opportunities of our Aging Society. Testimony was heard from Douglas Holtz-Eakin, Director, CBO; Hal Daub, Chairman, Social Security Advisory Board; and public witnesses.

PATRIOT ACT

Permanent Select Committee on Intelligence: Concluded hearings on the PATRIOT Act, Part II. Testimony was heard from public witnesses.

Friday, May 20, 2005

Senate

Chamber Action

Routine Proceedings, pages 10523–10693

Measures Introduced: Six bills were introduced, as follows: S. 1090–1095. **Page 10553**

Nomination Considered: Senate continued consideration of the nomination of Priscilla Richman Owen, of Texas, to be United States Circuit Judge for the Fifth Circuit. **Page 10523**

A motion was entered to close further debate on the nomination and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Tuesday, May 24, 2005. **Page 10551**

A unanimous-consent-time agreement was reached providing for further consideration of the nomination at 11:30 a.m., on Monday, May 23, 2005. **Page 10692**

Measures Referred: **Page 10552**

Measures Placed on Calendar: **Page 10552**

Executive Communications: **Page 10552**

Additional Cosponsors: **Page 10553**

Statements on Introduced Bills/Resolutions: **Page 10553**

Additional Statements: **Page 10552**

Text of H.R. 3 as Previously Passed: **Page 10555**

Adjournment: Senate convened at 9:31 a.m. and adjourned at 2:23 p.m. until 11:30 a.m., on Monday, May 23, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 10693.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. It will meet at 12:30 p.m. on Monday, May 23 for Morning Hour debate and 2 p.m. for legislative business.

Committee Meetings

D.C. PUBLIC SCHOOLS—TOWARD A CULTURE OF ACHIEVEMENT

Committee on Government Reform: Held a hearing entitled "Declaration of Education: Toward a Culture of Achievement in D.C. Public Schools." Testimony was heard from the following officials of the District of Columbia: Robert C. Bobb, Deputy Mayor/City Administrator; Kathleen Patterson, Chairperson, Committee on Education, Libraries and Recreation, Council; Peggy Cooper Cafritz, President, Board of Education; Clifford B. Janey, Superintendent, Public Schools; Charles H. Ramsey, Chief of Police, Metropolitan Police Department; and Brenda Donald Walker, Director, Child and Family Services Agency; and public witnesses.

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Monday, May 23, 2005

Senate

Chamber Action

Routine Proceedings, pages 10798–10900

Measures Introduced: Twelve bills and four resolutions were introduced, as follows: S. 1096–1107, S. Res. 152–153, and S. Con. Res. 36–37. **Page 10863**

Measures Reported: Report to accompany S. Res. 50, authorizing expenditures by committees of the Senate for the periods March 1, 2005, through September 30, 2005, October 1, 2005, through September 30, 2006, and October 1, 2006, through February 28, 2007. (S. Rept. No. 109–70) **Page 10863**

Measures Passed:

Welcoming President of Afghanistan: Senate agreed to S. Res. 152, welcoming His Excellency Hamid Karzai, the President of Afghanistan, and expressing support for a strong and enduring strategic partnership between the United States and Afghanistan. **Page 10827**

State Criminal Alien Assistance Program Reauthorization Act: Senate passed S. 188, to amend the Immigration and Nationality Act to authorize appropriations for fiscal years 2005 through 2011 to carry out the State Criminal Alien Assistance Program, after agreeing to the following amendment proposed thereto: **Page 10827**

Burns (for Feinstein) Amendment No. 763, to require that certain funds are used for correctional purposes. **Page 10827**

Nomination Considered: Senate resumed consideration of the nomination of Priscilla Richman Owen, of Texas, to be United States Circuit Judge for the Fifth Circuit. **Pages 10798, 10827**

A unanimous-consent-time agreement was reached providing for further consideration of the nomination at 9:45 a.m., on Tuesday, May 24, 2005; provided further, that at 12 noon, Senate vote on the motion to invoke cloture on the nomination. **Page 10893**

During consideration of this nomination today, Senate also took the following action:

By 90 yeas to 1 nay (Vote No. 126), Senate agreed to the motion to instruct the Sergeant at Arms to request the attendance of absent Senators. **Page 10831**

Appointments:

NATO Parliamentary Assembly: The Chair, on behalf of the Vice President, in accordance with 22 U.S.C. 1928a–1928d, as amended, appointed the following Senator as Acting Vice Chairman to the NATO Parliamentary Assembly for the spring meeting in Ljubljana, Slovenia, May 2005: Senator Leahy. **Page 10826**

Nominations Received: Senate received the following nominations:

Tome Luce, of Texas, to be Assistant Secretary for Planning, Evaluation, and Policy Development, Department of Education.

Arlene Holen, of the District of Columbia, to be a Member of the Federal Mine Safety and Health Review Commission for a term expiring August 30, 2010.

Rod J. Rosenstein, of Maryland, to be United States Attorney for the District of Maryland for the term of four years.

1 Army nomination in the rank of general. **Page 10900**

Measures Read First Time: **Page 10863**

Additional Cosponsors: **Page 10863**

Statements on Introduced Bills/Resolutions: **Page 10865**

Additional Statements: **Page 10861**

Amendments Submitted: **Page 10893**

Record Votes: One record vote was taken today. (Total—126) **Page 10831**

Quorum Calls: One quorum call was taken today. (Total—3) **Page 10831**

Adjournment: Senate convened at 11:30 a.m. and adjourned at 10:13 p.m. until 9:45 a.m., on Tuesday, May 24, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 10894.)

Committee Meetings

INDIVIDUAL ALTERNATIVE MINIMUM TAX

Committee on Finance: Subcommittee on Taxation and IRS Oversight held a hearing to examine the impact of the individual Alternative Minimum Tax (AMT), the separate tax system within the individual income tax system that applies lower tax rates to a broader base of income and a proposal to repeal the AMT, receiving testimony from Robert J. Carroll, Deputy Assistant Secretary of the Treasury for Tax Analysis; Douglas Holtz-Eakin, Director, Congressional Budget Office; Carol C. Markman, Feldman, Meinberg and Company, LLP, Syosset, New York, on behalf of the National Conference of CPA Practitioners; Nina E. Olson, National Taxpayer Service, Leonard E. Berman, The Urban Institute Tax Policy Center, and Kevin A. Hassett, American Enterprise Institute, all of Washington, D.C.

Hearing recessed subject to the call.

House of Representatives

Chamber Action

Measures Introduced: 42 public bills, H.R. 2518–2559; and 4 resolutions, H.J. Res. 51; H. Con. Res. 163–164; and H. Res. 292, were introduced. **Page 10795**

Additional Cosponsors: **Page 10796**

Reports Filed: Reports were filed today as follows:

Filed on May 20, 2005: H.R. 742, to amend the Occupational Safety and Health Act of 1970 to provide for the award of attorneys' fees and costs to small employers when such employers prevail in litigation prompted by the issuance of a citation by the Occupational Safety and Health Administration (H. Rept. 109–61, Pt. 2);

Filed on May 20, 2005: H.R. 1815, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2006, amended (H. Rept. 109–89);

H. Res. 243, recognizing the Coast Guard, the Coast Guard Auxiliary, and the National Safe Boating Council for their efforts to promote National Safe Boating Week (H. Rept. 109–90);

H.R. 2066, to amend title 40, United States Code, to establish a Federal Acquisition Service, to replace the General Supply Fund and the Information Technology Fund with an Acquisition Services Fund, amended (H. Rept. 109–91);

H.R. 250, to establish an interagency committee to coordinate Federal manufacturing research and development efforts in manufacturing, strengthen existing programs to assist manufacturing innovation and education, and expand outreach programs for small and medium-sized manufacturers, amended (H. Rept. 109–92);

H.R. 744, to amend title 18, United States Code, to discourage spyware (H. Rept. 109–93);

H. Res. 291, providing for consideration of H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006 (H. Rept. 109–94); and

H.R. 2528, making appropriations for military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2006 (H. Rept. 109–95). **Page 10794**

Speaker: Read a letter from the Speaker wherein he appointed Representative Petri to act as Speaker pro tempore for today. **Page 10719**

Recess: The House recessed at 12:43 p.m. and reconvened at 2 p.m. **Page 10720**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Stop Counterfeiting in Manufactured Goods Act: H.R. 32, amended, to amend title 18, United States Code, to provide criminal penalties for trafficking in counterfeit marks; **Page 10721**

Internet Spyware (I–SPY) Prevention Act of 2005: H.R. 744, amended, to amend title 18, United States Code, to discourage spyware, by a ⅔ yea-and-nay vote of 395 yeas to 1 nay, Roll No. 200; **Pages 10725, 10770**

Securely Protect Yourself Against Cyber Trespass Act: H.R. 29, amended, to protect users of the Internet from unknowing transmission of their personally identifiable information through spyware programs, by a ⅔ yea-and-nay vote of 393 yeas to 4 nays, Roll No. 201; **Pages 10727, 10771**

Heroes Earned Retirement Opportunities Act: H.R. 1499, amended, to amend the Internal Revenue Code of 1986 to allow a deduction to members of the Armed Forces serving in a combat zone for contributions to their individual retirement plans even if the compensation on which such contribution is based is excluded from gross income; **Page 10734**

Agreed to amend the title so as to read: to amend the Internal Revenue Code of 1986 to allow members of the Armed Forces serving in a combat zone to make contributions to their individual retirement plans even if the compensation on which such contribution is based is excluded from gross income. **Page 10736**

Angel Island Immigration Station Restoration and Preservation Act: H.R. 606, to authorize appropriations to the Secretary of the Interior for the restoration of the Angel Island Immigration Station in the State of California; **Page 10736**

Providing for the conveyance of public land in Clark County, Nevada: H.R. 849, to provide for the conveyance of certain public land in Clark County, Nevada, for use as a heliport; **Page 10739**

Revoking a Public Land Order regarding Cibola National Wildlife Refuge: H.R. 1101, to revoke a Public Land Order with respect to certain lands erroneously included in the Cibola National Wildlife Refuge, California; **Page 10741**

General Services Administration Modernization Act: H.R. 2066, amended, to amend title 40, United States Code, to establish a Federal Acquisition Service, to replace the General Supply Fund and the Information Technology Fund with an Acquisition Services Fund; **Page 10743**

Celebrating Asian Pacific American Heritage Month: H. Res. 280, amended, celebrating Asian Pacific American Heritage Month; **Page 10745**

Recognizing the 57th anniversary of the independence of the State of Israel: H. Con. Res. 149, amended, recognizing the 57th anniversary of the independence of the State of Israel, by a ⅔ yea-and-nay vote of 397 yeas with none voting "nay", Roll No. 202; **Pages 10749, 10772**

Honoring the life of Sister Dorothy Stang: H. Con. Res. 89, honoring the life of Sister Dorothy Stang; **Page 10753**

Urging the Government of Romania to provide fair restitution to religious communities for property confiscated by the former Communist government: H. Res. 191, amended, urging the Government of Romania to recognize its responsibilities to provide equitable, prompt, and fair restitution to all religious communities for property confiscated by the former Communist government in Romania; **Page 10755**

Urging the withdrawal of Syrian forces from Lebanon and support for fair democratic elections and rule in Lebanon: H. Res. 273, amended, urging the withdrawal of all Syrian forces from Lebanon, support for free and fair democratic elections in Lebanon, and the development of democratic institutions and safeguards to foster sovereign democratic rule in Lebanon; **Page 10757**

Welcoming His Excellency Hamid Karzai, the President of Afghanistan: H. Con. Res. 153, welcoming His Excellency Hamid Karzai, the President of Afghanistan, on the occasion of his visit to the United States in May 2005 and expressing support for a strong and enduring strategic partnership between the United States and Afghanistan; **Page 10760**

Recognizing the promotion of National Safe Boating Week: H. Res. 243, recognizing the Coast Guard, the Coast Guard Auxiliary, and the National Safe Boating Council for their efforts to promote National Safe Boating Week; and **Page 10762**

Servicemembers Health Insurance Protection Act of 2005: H.R. 2046, amended, to amend the Servicemembers Civil Relief Act to limit premium increases on reinstated health insurance on servicemembers who are released from active military service. **Page 10767**

Suspension—Proceedings Postponed: The House completed debate on the following measure under suspension of the rules. Further consideration will continue tomorrow, May 24.

Business Checking Freedom Act of 2005: H.R. 1224, amended, to repeal the prohibition on the payment of interest on demand deposits. **Page 10763**

Recess: The House recessed at 5:32 p.m. and reconvened at 6:31 p.m. **Page 10770**

Stem Cell Research Enhancement Act of 2005—Order of Business: The House agreed that (1) it shall be in order at any time without intervention of any point of order to consider H.R. 810, to amend the Public Health Service Act to provide for human embryonic stem cell research; (2) the bill shall be considered as read; (3) the previous question shall be considered as ordered without intervening motion except three hours of debate equally divided, and one motion to recommit; and (4) during consideration of the bill, notwithstanding the operation of the previous question, the Chair may postpone further consideration to a time designated by the Speaker. **Page 10773**

Senate Message: Message received from the Senate today appears on page 10720.

Senate Referrals: S. Con. Res. 35 was referred to the Committee on International Relations. **Page 10793**

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings today and appear on pages 10770–72. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 10:30 p.m.

Committee Meetings

MISCELLANEOUS APPROPRIATIONS

Committee on Appropriations: Held a hearing on the following: the House of Representatives, GAO, GPO, the Library of Congress and the Open World Leadership Center. Testimony was heard from Jay M. Eagen III, Chief Administrative Officer, House of Representatives; David M. Walker, Comptroller General, GAO; Bruce R. James, Public Printer, GPO, and James H. Billington, Librarian of Congress and Chairman, Open World Leadership Center.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS FOR FISCAL YEAR 2006

Committee on Rules: Granted, by voice vote, an open rule providing 1 hour of general debate on H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. Under the rules of the House the bill shall be read for amendment by paragraph. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill), except as specified in the resolution. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Hobson and Visclosky.

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Tuesday, May 24, 2005

Senate

Chamber Action

Routine Proceedings, pages 10915–59

Measures Introduced: Eight bills were introduced, as follows: S. 1108–1115. **Page 10952**

Measures Reported:

S. 21, to provide for homeland security grant coordination and simplification, with an amendment in the nature of a substitute. (S. Rept. No. 109–71) **Page 10952**

Nomination Considered: Senate continued consideration of the nomination of Priscilla Richman Owen, of Texas, to be United States Circuit Judge for the Fifth Circuit. **Page 10917**

During consideration of this nomination today, Senate also took the following action:

By 81 yeas to 18 nays (Vote No. 127), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the nomination. **Page 10928**

A unanimous-consent time agreement was reached providing that when the Senate resumes consideration of the nomination on Wednesday, May 25, 2005, that the time until 12 noon be equally divided between the Majority Leader and the Democratic Leader, or their designees; and that at 12 noon all time be expired under Rule 22, and the Senate vote on confirmation of the nomination. **Page 10941**

Nomination—Agreement: A unanimous-consent time agreement was reached providing that at a time determined by the Majority Leader, after consultation with the Democratic Leader, it be in order to move to proceed en bloc to the nominations of David W. McKeague, of Michigan, and Richard A. Griffin, of Michigan, each to be a United States Circuit Judge for the Sixth Circuit, if reported by the Committee on the Judiciary; that there be ten hours of debate equally divided between the Chairman of the Committee on the Judiciary, and the Ranking Member, or their designees; and that following the use, or yielding back of time, the Senate vote on confirmation of the nomination. **Page 10958**

Nomination—Agreement: A unanimous-consent time agreement was reached providing that at a time determined by the Majority Leader, after consultation with the Democratic Leader, Senate begin consideration of the nomination of Thomas B. Griffith, of Utah, to be United States Circuit Judge for the District of Columbia Circuit; that there be four hours of debate equally divided between the Chairman of the Committee on the Judiciary, and the Ranking Member, or their designees; and that following the use, or yielding back of time, the Senate vote on confirmation of the nomination. **Page 10958**

Nomination Referral—Agreement: A unanimous-consent time agreement was reached providing that the nomination of Charles S. Ciccolella, of Virginia, to be Assistant Secretary of Labor for Veterans' Employment and Training, be jointly referred to the Committees on Health, Education, Labor and Pensions and Veterans' Affairs. **Page 10958**

Appointment:

United States Capitol Preservation Commission: The Chair, on behalf of the President pro tempore, pursuant to Public Law 100-696, appointed Senator Allard as a member of the United States Capitol Preservation Commission, vice Senator Bennett. **Page 10959**

Messages From the House: **Page 10945**

Measures Referred: **Page 10945**

Measures Placed on Calendar: **Page 10946**

Petitions and Memorials: **Page 10946**

Additional Cosponsors: **Page 10953**

Statements on Introduced Bills/Resolutions: **Page 10954**

Additional Statements: **Page 10943**

Amendments Submitted: **Page 10957**

Authority for Committees to Meet: **Page 10957**

Privilege of the Floor: **Page 10958**

Record Votes: One record vote was taken today. (Total—127) **Page 10928**

Adjournment: Senate convened at 9:45 a.m. and adjourned at 6:57 p.m. until 9:30 a.m., on Wednesday, May 25, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 10959.)

Committee Meetings

DEPARTMENT OF JUSTICE

Committee on Appropriations: Subcommittee on Commerce, Justice, Science and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the Department of Justice, after receiving testimony from Alberto R. Gonzales, Attorney General, and Robert S. Mueller III, Director, Federal Bureau of Investigations, both of the Department of Justice.

U.S. ANTI-DOPING AGENCY

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine S. 529, to designate a United States Anti-Doping Agency and to examine the competitive pressures that lead amateur athletes to use drugs, the sources of such drugs, and the science of doping, after receiving testimony from Jim Scherr, U.S. Olympic Committee, and Terrence Madden, U.S. Anti-Doping Agency, both of Colorado Springs, Colorado; Roger Blake, California Interscholastic Federation, Alameda; Don H. Catlin, University of California at Los Angeles Medical School; and Kelli White, Voorhees, New Jersey.

NOMINATIONS

Committee on Finance: Committee concluded a hearing to examine the nominations of Alex Azar II, of Maryland, to be Deputy Secretary of Health and Human Services, who was introduced by Senator Hatch, Timothy D. Adams, of Virginia, to be Under Secretary of the Treasury for International Affairs, who was introduced by Senator McConnell, Suzanne C. DeFrancis, of Maryland, to be Assistant Secretary of Health and Human Services for Public Affairs, Charles E. Johnson, of Utah, to be Assistant Secretary of Health and Human Services for Budget, Technology, and Finance, who was introduced by Senator Hatch, and Shara L. Aranoff, of Maryland, to be a Member of the United States International Trade Commission, who was introduced by Senator Baucus, after the nominees testified and answered questions in their own behalf.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Eduardo Aguirre, Jr., of Texas, to be Ambassador to Spain and Andorra, who was introduced by Senators Hutchison, Cornyn and Martinez; Victoria Nuland, of Connecticut, to be Permanent Representative of the United States of America on the Council of the North Atlantic Treaty Organization, with the rank and status of Ambassador, who was introduced by Senator Lieberman; Julie Finley, of the District of Columbia, to be U.S. Representative to the Organization for Security and Cooperation in Europe, with the rank of Ambassador, who was introduced by Senator Warner; and John F. Tefft, of Virginia, to be Ambassador to Georgia, and Craig Roberts Stapleton, of Connecticut, to be Ambassador to France, after the nominees testified and answered questions in their own behalf.

U.S. SPECIAL COUNSEL

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia concluded a hearing to examine a review of the U.S. Office of Special Counsel, focusing on safeguarding the merit system by protecting federal employees and applicants from prohibited personnel practices, especially reprisal for whistleblowing, after receiving testimony from Scott J. Bloch, Special Counsel, U.S. Office of Special Counsel.

SPECIALTY HOSPITALS

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, and International Security concluded an oversight hearing to examine the competitive effects of specialty hospitals, after receiving testimony from John D. Graubert, Principal Deputy General Counsel, Federal Trade Commission; Mark E. Miller, Executive Director, Medicare Payment Advisory Commission; Regina E. Herzlinger, Harvard Business School, Boston, Massachusetts; Stan Pelofsky, Oklahoma Spine Hospital, Oklahoma City; John T. Thomas, Baylor Health Care System, Dallas, Texas; William G. Plested, American Medical Association, Chicago, Illinois; James E. Cain, Lampasas, Texas; and Ed Jungbluth, Albuquerque, New Mexico.

USA PATRIOT ACT AUTHORIZATION

Select Committee on Intelligence: Committee concluded a hearing to examine proposed legislation to reauthorize certain provisions of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act of 2001 and the Intelligence Reform and Terrorism Prevention Act of 2004, to clarify certain definitions in the Foreign Intelligence Surveillance Act of 1978, to provide additional investigative tools necessary to protect the national security, after receiving testimony from Valerie Caproni, General Counsel, Federal Bureau of Investigation, David S. Kris, former Associate Deputy Attorney General, and Daniel P. Collins, former Associate Deputy Attorney Chief Privacy Officer, all of the Department of Justice; and Joseph Onek, Constitution Project, and James X. Dempsey, Center for Democracy and Technology, both of Washington, D.C.

House of Representatives

Chamber Action

Measures Introduced: 57 public bills, H.R. 2560–2616; and 6 resolutions, H. Con. Res. 165–166; and H. Res. 294–297, were introduced. **Page 11085**

Additional Cosponsors: **Page 11087**

Reports Filed: Reports were filed on May 25 (Legislative day, May 24), 2005 as follows:

H. Res. 293, providing for consideration of H.R. 1815, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2006 (H. Rept. 109–96). **Page 11085**

Speaker: Read a letter from the Speaker wherein he appointed Representative Price of Georgia to act as Speaker Pro Tempore for today. **Page 10960**

Recess: The House recessed at 9:13 a.m. and reconvened at 10 a.m. **Page 10961**

Discharge Petition: Representative Marshall moved to discharge the Committee on Rules from the consideration of H. Res. 270, providing for the consideration of H.R. 303, to amend title 10, United States Code, to permit certain additional retired members of the Armed Forces who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation and to eliminate the phase-in period under current law with respect to such concurrent receipt (Discharge Petition No. 2).

Energy and Water Development and Related Agencies Appropriations Act for Fiscal Year 2006: The House passed H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006, by a yea-and-nay vote of 416 yeas to 13 nays, Roll No. 211. **Pages 10969, 11046**

Rejected the Etheridge motion to recommit the bill to the Committee on Appropriations with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 167 ayes to 261 noes, Roll No. 210. **Page 11070**

Agreed to adopt the Hobson amendment in the House and the Committee of the Whole and that it be considered as original text for the purpose of further amendment. **Page 10969**

Agreed to adopt the Hobson amendment in the House and the Committee of the Whole and that the amendment be considered as original text for the purpose of further amendment, and to limit the number of amendments made in order for debate and the time limit for debate on each amendment. **Page 11046**

Agreed to:

Sanders amendment that increases funding for Energy Supply and Conservation; **Page 11050**

Markey amendment that prohibits the use of funds by the Nuclear Regulatory Commission to contract with or reimburse any Nuclear Regulatory Commission licensee or the Nuclear Energy Institute with respect to matters relating to the security of production facilities or utilization facilities; and **Page 11061**

Boehlert amendment that prohibits the use of funds to enter into an agreement obligating the U.S. to contribute funds to ITER before March 1, 2006. **Page 11062**

Rejected:

Markey amendment that sought to increase funding for Energy Supply and Conservation (by a recorded vote of 110 ayes to 312 noes, Roll No. 207); **Pages 11051, 11068**

Jones of North Carolina amendment that sought to increase funding for the Operation and Maintenance fund of the Corps of Engineers (by a recorded vote of 152 ayes to 275 noes, Roll No. 208); and **Pages 11063, 11069**

Stupak amendment (No. 4 printed in the Congressional Record of May 23) that sought to prohibit the use of funds to accept deliveries of petroleum products to the Strategic Petroleum Reserve (by a recorded vote of 174 ayes to 253 noes, Roll No. 209). **Pages 11064, 11069**

Withdrawn:

Biggert amendment that was offered and subsequently withdrawn that sought to strike sections 311 and 312 of the bill regarding Laboratory Directed Research and Development, Plant Directed Research and Development, and Site Directed Research and Development; **Page 11058**

Filner amendment (No. 1 printed in the Congressional Record of May 23) that was offered and subsequently withdrawn that sought to prohibit the use of funds to issue, approve, or grant any permit for the transmission of electric energy in the U.S. from a foreign country if any portion of such electric energy is generated at a power plant located within 25 miles of the U.S. that does not comply with specific air quality requirements; **Page 11062**

Stupak amendment (No. 5 printed in the Congressional Record of May 23) that was offered and subsequently withdrawn that sought to prohibit the use of funds to implement a policy to use or consider the amount of tonnage of goods that pass through a harbor to determine if a harbor is high-use; and **Page 11066**

Tiahrt amendment that was offered and subsequently withdrawn that sought to prohibit the use of funds to promulgate regulations without consideration of the effect of such regulations on the competitiveness of American businesses. **Page 11067**

Point of Order:

Section 104 regarding multiyear contracts for water resources projects. **Page 11048**

H. Res. 291, the rule providing for consideration of the bill was agreed to by voice vote, after agreeing to order the previous question by a yea-and-nay vote of 219 yeas to 190 nays, Roll No. 203. **Page 10964**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Stem Cell Therapeutic and Research Act of 2005: H.R. 2520, to provide for the collection and maintenance of human cord blood stem cells for the treatment of patients and research, and to amend the Public Health Service Act to authorize the C.W. Bill Young Cell Transplantation Program (agreed to extend the time for debate on the measure), by a ⅔ yea-and-nay vote of 431 yeas to 1 nay, Roll No. 205; and **Pages 10985, 11044**

Business Checking Freedom Act of 2005: Debated on May 23: H.R. 1224, amended, to repeal the prohibition on the payment of interest on demand deposits, by a ⅔ yea-and-nay vote of 424 yeas to 1 nay, Roll No. 206. **Page 11045**

Stem Cell Research Enhancement Act of 2005: The House passed H.R. 810, to amend the Public Health Service Act to provide for human embryonic stem cell research, by a yea-and-nay vote of 238 yeas to 194 nays, Roll No. 204. **Page 11000**

The bill was considered under a unanimous consent agreement reached yesterday, May 23.

Recess: The House recessed at 11 p.m. and reconvened at 12:10 a.m. on May 25, 2005. **Page 11083**

Senate Message: Message received from the Senate today appears on page 10961.

Senate Referrals: S. 188 was referred to the Committee on the Judiciary. **Page 11084**

Quorum Calls—Votes: Five yea-and-nay votes and four recorded votes developed during the proceedings today and appear on pages 10968, 11044–46, and 11068–72. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 12:11 a.m.

Committee Meetings

REVIEW U.S. GRAIN STANDARDS ACT

Committee on Agriculture: Subcommittee on General Farm Commodities and Risk Management held a hearing to Review the U.S. Grain Standards Act. Testimony was heard from David Shipman, Deputy Administrator, Grain Inspection, Packers and Stockyards Administration, USDA; and public witnesses.

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense met in executive session and approved for full Committee action the Defense appropriations for Fiscal Year 2006.

SCIENCE, THE DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Science, The Departments of State, Justice, and Commerce, and Related Agencies approved for full Committee action the Science, The Departments of State, Justice, and Commerce, and Related Agencies appropriations for Fiscal Year 2006.

OLDER AMERICANS ACT EXAMINATION

Committee on Education and the Workforce: Subcommittee on Select Education held a hearing entitled "An Examination of the Older Americans Act." Testimony was heard from Joan Lawrence, Director, Department of Aging, State of Ohio; and public witnesses.

NUCLEAR TERRORISM THREAT REDUCTION

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing on Reducing the Threat of Nuclear Terrorism: A Review of the Department of Energy's Global Threat Reduction Initiative. Testimony was heard from Paul Longsworth, Deputy Administrator, Defense Nuclear Proliferation, National Nuclear Security Agency, Department of Energy; Edward McGaffigan, Jr., Commissioner, NRC; and public witnesses.

ABUSIVE MORTGAGE LENDING PRACTICES

Committee on Financial Services: Subcommittee on Housing and Community Opportunity and the Subcommittee on Financial Institutions and Consumer Credit held a joint hearing entitled "Legislative Solutions to Abusive Mortgage Lending Practices." Testimony was heard from public witnesses.

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Committee on Government Reform: Subcommittee on Federalism and the Census held a hearing entitled "Bringing Community Development Block Grant Program (CDBG) Spending into the 21st Century: Introducing Accountability and Meaningful Performance Measures into the Decades-Old CDBG Program." Testimony was heard from Roy A. Bernardi, Deputy Secretary, Department of Housing and Urban Development; and public witnesses.

BORDER PATROL AGENT TRAINING

Committee on Homeland Security: Subcommittee on Management, Integration, and Oversight held a hearing entitled "Training More Border Patrol Agents: How the Department of Homeland Security Can Increase Training Capacity Most Effectively." Testimony was heard from the following officials of the Department of Homeland Security: Thomas Walters, Assistant Commissioner, Training and Development, Bureau of Customs and Border Protection;

and Connie Patrick, Director, Federal Law Enforcement Training Center; and public witnesses.

STATE TAXATION AND INTERSTATE COMMERCE

Committee on the Judiciary: Subcommittee on the Constitution and the Subcommittee on Commercial and Administrative Law held a joint oversight hearing on "Economic Development and the Dormant Commerce Clause: The Lessons of *Cuno* v. *Daimler Chrysler* and Its Effect on State Taxation Affecting Interstate Commerce." Testimony was heard from Bruce Johnson, Lt. Gov., State of Ohio; and public witnesses.

OVERSIGHT—FEDERAL FISH HATCHERY SYSTEM

Committee on Resources: Subcommittee on Fisheries and Oceans held an oversight hearing on the Federal Fish Hatchery System. Testimony was heard from Mamie Parker, Assistant Director, Fisheries and Habitat Conservation, U.S. Fish and Wildlife Service, Department of the Interior; D. Robert Lohn, Regional Administrator, Northwest Region, National Marine Fisheries Service, NOAA, Department of Commerce; and public witnesses.

BIOMASS UTILIZATION

Committee on Resources: Subcommittee on Forests and Forest Health held an oversight hearing on Current Obstacles in Biomass Utilization: A GAO Report on Problems Agencies Face in the utilization of Woody Biomass, and the extent to which they are addressing these problems. Testimony was heard from Robin Nazzaro, Director, Natural Resources and Environment, GAO; and public witnesses.

DESALINATION DROUGHT PROTECTION ACT; DESALINATION PROCESS—REDUCING POWER AND OTHER COSTS

Committee on Resources: Subcommittee on Water and Power held a hearing on H.R. 1071, Desalination Drought Protection Act of 2005 and on "Reducing Power and Other Costs of the Desalination Process." Testimony was heard from David Garman, Assistant Secretary, Energy Efficiency and Renewable Energy, Department of Energy; Maryanne Bach, Director, Research and Development, Bureau of Reclamation, Department of the Interior; Douglas Holtz-Eakin, Director, CBO; and public witnesses.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FY 2006

Committee on Rules: Granted, by voice vote, a structured rule providing one hour of general debate on H.R. 1815, National Defense Authorization Act for FY 2006, to be equally divided and controlled between the chairman and ranking minority member of the Committee on Armed Services. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Armed Services now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the amendment in the nature of a substitute recommended by the Committee on Armed Services.

The rule makes in order only those amendments printed in the Rules Committee report. The rule provides that amendments shall be considered only in the order specified in the report (except as specified in section 4 of the resolution), may be offered only by a Member designated in the report, shall be debatable for the time specified in the report, shall not be subject to amendment (except that the chairman and ranking minority member of the Committee on Armed Services each may offer one pro forma amendment for the purpose of further debate on any pending amendment), shall be considered as read, and shall not be subject to a demand for division of the question. The rule waives all points of order against amendments printed in the Rules Committee report. The rule allows the Chairman of the Committee of the Whole to recognize for the consideration of any amendment printed in the report out of the order printed, but not sooner than one hour after the chairman of the Committee on Armed Services or a designee announces from the floor a request to that effect.

The rule authorizes the Chairman of the Committee on Armed Services, or his designee, to offer amendments en bloc consisting of amendments printed in the Rules Committee report not earlier disposed of, which shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services or their designees, and shall not be subject to amendment or demand for a division of the question in the House of the Committee of the Whole.

The rule provides that during consideration of the bill under this resolution or by a subsequent order of the House that after a motion that the Committee rise or after a motion to strike out the enacting words of the bill (as described in clause 9 of rule XVIII) has been rejected on a legislative day, the Chairman of the Committee of the Whole may entertain another such motion on that day only if offered by the chairman of the Committee on Armed Services or the Majority Leader. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Hunter and Representatives Bradley of New Hampshire, Simmons, Shays, Stearns, Cunningham, Latham, Manzullo, Goode, Beauprez, Skelton, Spratt, Taylor of Mississippi, Meehan, Tauscher, Israel, Udall of Colorado, Marshall, McKinney, Stark, Markey, Slaughter, DeLauro, Bishop of Georgia, Velázquez, Woolsey, Blumenauer, Ford, Kilpatrick, Tierney, Honda, Lynch, Matheson, Schiff, Michaud, Herseth and Wasserman Schultz.

VETERAN-OWNED SMALL BUSINESS

Committee on Small Business: Subcommittee on Workforce, Empowerment, and Government Programs and the Subcommittee on Economic Opportunity of the Committee on Veterans' Affairs held a joint hearing entitled "How Are Our Veterans-Owned Small Business Owners Being Served?" Testimony was heard from Frank A. Ramos, Director, Office of Small and Disadvantaged Business Utilization, Department of Defense; Scott F. Denniston, Director, Office of Small and Disadvantaged Business Utilization; Department of Veterans Affairs; representatives of veterans organizations; and public witnesses.

WTO WITHDRAWAL

Committee on Ways and Means: Ordered adversely reported H.J. Res. 27, Withdrawing the approval of the United States from the Agreement establishing the World Trade Organization.

RENEWABLE ENERGY PRODUCTION TAX CREDIT

Committee on Ways and Means: Subcommittee on Select Revenue Measures held a hearing on Tax Credits for Electricity Production from Renewable Sources. Testimony was heard from Howard Gruenspecht, Deputy Administrator, Energy Information Administration, Department of Energy; and public witnesses.

SOCIAL SECURITY—PROTECTING AND STRENGTHENING

Committee on Ways and Means: Subcommittee on Social Security continued hearings on Protecting and Strengthening Social Security. Testimony was heard from Stephen C. Goss, Chief Actuary, SSA.

Hearings continue May 26.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2006

Permanent Select Committee on Intelligence: Met in executive session and ordered reported, as amended, H.R. 2475, Intelligence Authorization Act for Fiscal year 2006.

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Wednesday, May 25, 2005

Senate

Chamber Action

Routine Proceedings, pages 11105–92

Measures Introduced: Twelve bills and four resolutions were introduced, as follows: S. 1116–1127, S. Res. 154–156, and S. Con. Res. 38. **Page 11169**

Measures Reported:

S. 494, to amend chapter 23 of title 5, United States Code, to clarify the disclosures of information protected from prohibited personnel practices, require a statement in nondisclosure policies, forms, and agreements that such policies, forms, and agreements conform with certain disclosure protections, provide certain authority for the Special Counsel. (S. Rept. No. 109–72)

S. 898, to amend the Public Health Service Act to authorize a demonstration grant program to provide patient navigator services to reduce barriers and improve health care outcomes, with an amendment in the nature of a substitute. (S. Rept. No. 109–73) **Page 11169**

Measures Passed:

National Hunger Awareness Day: Senate agreed to S. Res. 156, designating June 7, 2005, as "National Hunger Awareness Day" and authorizing that the Senate offices of Senators Gordon Smith, Blanche L. Lincoln, Elizabeth Dole, and Richard J. Durbin be used to collect donations of food from May 26, 2005, until June 7, 2005, from concerned Members of Congress and staff to assist families suffering from hunger and food insecurity in the Washington, D.C. metropolitan area. **Page 11188**

Recognizing Kazakhstan Efforts: Committee on Foreign Relations was discharged from further consideration of S. Res. 122, recognizing the historic efforts of the Republic of Kazakhstan to reduce the threat of weapons of mass destruction through cooperation in the Nunn-Lugar/Cooperative Threat Reduction Program, and celebrating the 10th anniversary of the removal of all nuclear weapons from the territory of Kazakhstan, and the resolution was then agreed to. **Page 11189**

Nomination Considered: Senate began consideration of the nomination of John Robert Bolton, of Maryland, to be Representative of the United States of America to the United Nations. **Page 11122**

A unanimous-consent-time agreement was reached providing that if a cloture motion is filed on the nomination, notwithstanding the provisions of Rule 22, that cloture vote occur at 6 p.m., on Thursday, May 26, 2005, with the live quorum waived; provided further, that when the Senate resume debate on the nomination on Thursday, all time until 6 p.m. be equally divided; further, that if cloture is invoked on the nomination, the Senate vote on confirmation of the nomination, and that during the debate on the nomination, Senator Voinovich be in control of 1 hour of debate. **Page 11122**

A motion was entered to close further debate on the nomination and, notwithstanding the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Wednesday, May 25, 2005, a vote on cloture will occur at 6 p.m., on Thursday, May 26, 2005. **Page 11161**

A unanimous-consent agreement was reached providing for further consideration of the nomination at 9:30 a.m., on Thursday, May 26, 2005; provided that one hour of debate be under the control of Senator Voinovich, as previously ordered. **Page 11189**

Nominations Confirmed: Senate confirmed the following nomination:

By 55 yeas 43 nays (Vote No. EX. 128), Priscilla Richman Owen, of Texas, to be United States Circuit Judge for the Fifth Circuit. **Page 11111**

Nominations Received: Senate received the following nominations:

Walter Lukken, of Indiana, to be a Commissioner of the Commodity Futures Trading Commission for a term expiring April 13, 2010.

John M. Reich, of Virginia, to be Director of the Office of Thrift Supervision for a term expiring October 23, 2007.

William Alan Jeffrey, of Virginia, to be Director of the National Institute of Standards and Technology.

Ashok G. Kaveeshwar, of Maryland, to be Administrator of the Research and Innovative Technology Administration, Department of Transportation.

Jan E. Boyer, of Texas, to be United States Alternate Executive Director of the Inter-American Development Bank.

Kathie L. Olsen, of Oregon, to be Deputy Director of the National Science Foundation.

3 Army nominations in the rank of general.

Routine lists in the Navy. **Page 11191**

Messages From the House: **Page 11167**

Measures Referred: **Page 11168**

Measures Read First Time: **Page 11168**

Executive Communications: **Page 11168**

Executive Reports of Committees: **Page 11169**

Additional Cosponsors: **Page 11170**

Statements on Introduced Bills/Resolutions: **Page 11171**

Additional Statements: **Page 11167**

Authority for Committees to Meet: **Page 11187**

Privilege of the Floor: **Page 11188**

Record Votes: One record vote was taken today. (Total—128) **Page 11122**

Adjournment: Senate convened at 9:31 a.m. and adjourned at 7:53 p.m. until 9:30 a.m., on Thursday, May 26, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 11189.)

Committee Meetings

GRAIN STANDARDS ACT REAUTHORIZATION

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine the proposed reauthorization of the U.S. Grain Standards Act, focusing on the Federal Grain Inspection Service, and mandatory export inspection and weighing services, after receiving testimony from David R. Shipman, Acting Administrator, Grain Inspection, Packers, and Stockyards Administration, Department of Agriculture; Jerry D. Gibson, Bunge North America, Inc., Destrehan, Louisiana, on behalf of the National Grain and Feed Association, and the North American Export Grain Association; Thomas Dahl, American Association of Grain Inspection and Weighing Agencies, Sioux City, Iowa; and Garry Niemeyer, National Corn Growers Association, Glenarm, Illinois.

NOMINATIONS

Committee on Armed Services: Committee ordered favorably reported the nomination of Kenneth J. Krieg, of Virginia, to be Under Secretary of Defense for Acquisition, Technology, and Logistics, and 661 nominations in the Army, Navy, Air Force, and Marine Corps.

NOMINATIONS

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the nominations of Ben S. Bernanke, of New Jersey, to be a Member of the Council of Economic Advisers, and Brian D. Montgomery, of Texas, to be Assistant Secretary of Housing, Federal Housing Commissioner, Department of Housing and Urban Development, who was introduced by Senator Cornyn, after the nominees testified and answered questions in their own behalf.

COASTAL ZONE MANAGEMENT ACT

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine S. 360, to reauthorize and amend the Coastal Zone Management Act, after receiving testimony from Thomas Kitsos, Associate Deputy Assistant Administrator, National Ocean Service, National Oceanic and Atmospheric Administration, Department of Commerce; Walter D. Cruickshank, Deputy Director, Minerals Management Service, Department of the Interior; Bill Jeffress, Alaska Department of Natural Resources, Anchorage; W. Donald Hudson, Jr., Maine State Planning Office, Augusta; Sarah W. Cooksey, Delaware Coastal Programs, Dover, on behalf of the Coastal States Organization; Tom Fry, National Ocean Industries Association, Washington, D.C.; and Sarah Chasis, Natural Resources Defense Council, New York, New York.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee resumed markup of proposed comprehensive energy legislation, focusing on provisions relating to renewable energy, nuclear matters, and studies, but did not complete action thereon, and will meet again tomorrow.

ENERGY PROJECT PERMITTING

Committee on Environment and Public Works: Committee concluded an oversight hearing to examine the process for issuing permits for energy projects, focusing on the White House Task Force on Energy Project Streamlining, and ensuring that energy exploration, production, and transportation projects are permitted efficiently, after receiving testimony from J. Mark Robinson, Director, Office of Energy Projects, Federal Energy Regulatory Commission; Dennis J. Duffy, Cape Wind Associates, LLC, Boston, Massachusetts; Sharon Buccino, Natural Resources Defense Council, New York, New York; and Ronald E. Hogan, Questar Market Resources, Pinedale, Wyoming.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of David Horton Wilkins, of South Carolina, to be Ambassador to Canada, who was introduced by Senators Allard, Graham, DeMint, and Reed; William Alan Eaton, of Virginia, to be Ambassador to Panama; James M. Derham, of Virginia, to be Ambassador to Guatemala; Robert Johann Dieter, of Colorado, to be Ambassador to Belize; Paul A. Trivelli, of Virginia, to be Ambassador to Nicaragua; and Linda Jewell, of the District of Columbia, to be Ambassador to Ecuador, after each nominee testified and answered questions in their own behalf.

COUNTERFEIT GOODS

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine how counterfeit goods provide easy cash for criminals and terrorists, focusing on how intellectual property rights crime affects this country, including the possibility that proceeds from counterfeiting fund terrorism, after receiving testimony from John C. Stedman, County of Los Angeles Sheriff's Department, Los Angeles, California; Kris Buckner, Investigative Consultants, Lawnsdale, California; and Matthew Levitt, The Washington Institute for Near East Policy, Washington, D.C.

NOMINATIONS

Committee on Homeland Security and Governmental Affairs: Committee ordered favorably reported the nominations of Philip J. Perry, of Virginia, to be General Counsel, Department of Homeland Security, Carolyn L. Gallagher, of Texas, and Louis J. Giuliano, of New York, each to be a Governor of the United States Postal Service, and Tony Hammond, of Virginia, to be a Commissioner of the Postal Rate Commission.

NOMINATION

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nomination of Linda Morrison Combs, of North Carolina, to be Controller, Office of Federal Financial Management, Office of Management and Budget, after the nominee testified and answered questions in her own behalf.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported the following items:

S. 1107, to reauthorize the Head Start Act,

S. 518, to provide for the establishment of a controlled substance monitoring program in each State, and;

The nominations of Charles P. Ruch, of South Dakota, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation, Kim Wang, of California, to be a Member of the National Museum and Library Services Board, and Harry Robinson, Jr., of Texas, to be a Member of the National Museum Services Board.

AMERICAN INDIAN POLICIES

Committee on Indian Affairs: Committee concluded a hearing to examine S.J. Res. 15, to acknowledge a long history of official depredations and ill-conceived policies by the United States Government regarding Indian tribes and offer an apology to all Native Peoples on behalf of the United States, after receiving testimony from Senator Brownback; Tex Hall, National Congress of American Indians, Washington, D.C.; Edward K. Thomas, Central Council of the Tlingit and Haida Indian Tribes of Alaska, Juneau; and Negiel Bigpond, Sr., Two Rivers Native American Training Center, Bixby, Oklahoma.

BUSINESS MEETING

Committee on the Judiciary: Committee resumed markup of S. 852, to create a fair and efficient system to resolve claims of victims for bodily injury caused by asbestos exposure, but did not complete action thereon, and will meet again tomorrow.

INTELLECTUAL PROPERTY PIRACY

Committee on the Judiciary: Subcommittee on Intellectual Property concluded a hearing to examine piracy of intellectual property and counterfeiting problems, after receiving testimony from Marybeth Peters, Register of Copyrights, and Associate Librarian for Copyright Services, United States Copyright Office, Library of Congress; Stephen M. Pinkos, Deputy Under Secretary of Commerce for Intellectual Property, and Deputy Director, United States Patent and Trademark Office; James E. Mendenhall, Acting General Counsel, Office of the U.S. Trade Representative; Eric H. Smith, International Intellectual Property Alliance, and Robert W. Holleyman II, Business Software Alliance, both of Washington, D.C.; and Taylor Hackford, Directors Guild of America, Los Angeles, California.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

House of Representatives

Chamber Action

Measures Introduced: 28 public bills, H.R. 2617–2644; and 1 private bill, H.R. 2645, were introduced. **Page 11377**

Additional Cosponsors: **Page 11378**

Reports Filed: Reports were filed today as follows:

H. Res. 298, providing for consideration of H.R. 2528, making appropriations for military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2006 (H. Rept. 109–97). **Page 11377**

Speaker: Read a letter from the Speaker wherein he appointed Representative Miller of Michigan to act as Speaker Pro Tempore for today. **Page 11193**

Chaplain: The prayer was offered today by Father Val J. Peter, Executive Director, Girls and Boys Town USA in Boys Town, Nebraska. **Page 11193**

National Defense Authorization Act for Fiscal Year 2006: The House passed H.R. 1815, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2006, by a yea-and-nay vote of 390 yeas to 39 nays, Roll No. 222. **Page 11208**

Rejected the Taylor of Mississippi motion to recommit the bill to the Committee on Armed Services with instructions to report it back to the House forthwith with amendments, by a recorded vote of 211 ayes to 218 noes, Roll No. 221. **Page 11347**

Agreed to the amendment in the nature of a substitute, as amended, recommended by the Committee on Armed Services now printed in the bill, and that the amendment be considered as an original bill for the purpose of amendment. **Page 11348**

Pursuant to the rule, Representative Hunter requested that the following amendments printed in H. Rept. 109–96 be considered out of order: Goode (#20), Davis of Virginia (#24), Davis of California (#12), Hunter (#1), Stearns (#6), Bradley (#29), and Woolsey (#26). **Page 11208**

Agreed to:

En bloc amendment consisting of the following amendments printed in H. Rept. 109–96: Ortiz (#2) directing the Secretary to submit to the congressional defense committees a sustainment plan for the existing MHC–51 class mine countermeasures ships; Kaptur (#3) requiring the DOD to conduct a study on the use of bio-diesel and ethanol fuels by the Armed Forces and Defense Agencies; Simmons (#7) lifting the age 60 requirement for Space-A travel by National Guard and Reserve retirees; Filner (#10) requiring a study to determine if it is feasible for DOD to allow veterans with a service connected disability rating of 50% or higher access to Space-A travel; DeLauro (#13) as modified, requiring the DOD to revise its mental health evaluations for pre- and post-deployment of servicemembers to combat theaters; Manzullo (#15) codifying the content requirements of the Buy American Act as stated in Defense Federal Acquisition Regulations Supplement; Crowley (#21) expressing the sense of Congress that recognizes the diversity of the men and women of our Armed Services killed in Operation Iraqi Freedom and Operation Enduring Freedom; Spratt (#28) as modified, adding war-related reporting requirements for tracking costs, military personnel force levels, reconstitution requirements, and military construction projects associated with operations in Iraq and Afghanistan, and enhanced security operations at home; Simmons (#18) encouraging the DOD to buy Lithium-Ion cells and batteries, and associated manufacturing technologies that are made in America; and Israel (#25) making permanent the pilot "Science, Mathematics, and Research for Transformation Defense Education Program" and include within its purview the study of foreign languages. **Page 11302**

Goode amendment (No. 20 printed in H. Rept. 109–96) that authorizes the Secretary of Defense to assign members of the Armed Forces, under certain circumstances and subject to certain conditions, to assist the Department of Homeland Security in the performance of border protection functions (by a recorded vote of 245 ayes to 184 noes, Roll No. 214); **Pages 11297, 11318**

Jo Ann Davis of Virginia amendment (No. 24 printed in H. Rept. 109–96) that clarifies federal law regarding support for youth organizations by the federal government (by a recorded vote of 413 ayes to 16 noes, Roll No. 215); **Pages 11307, 11318**

Hunter manager's amendment (No. 1 printed in H. Rept. 109–96) that amends United States Code to extend veteran's preference; modifies section 574 of the bill relating to women in the Armed Forces, adds funding for supersonic cruise missile engines; and establishes a memorial to the USS *Oklahoma* (by a recorded vote of 428 ayes to 1 no, Roll No. 217); **Pages 11315, 11320**

En bloc amendment consisting of the following amendments printed in H. Rept. 109–96: Stark (#4) instructing the GAO to submit a report to Congress on criminal violations in military recruiting practices; Strickland (#5) adding "information concerning the availability of mental health services" to what is already required to be communicated in benefit counseling sessions to those in the armed forces who are separating from active duty; Slaughter (#8) authorizing annual funding for training and resources for the DOD to better respond to incidences of sexual assault; Reichert (#9) requiring the GAO to study the difficulties faced by our National Guard and Reserve Personnel in gaining re-employment once returning from duty; Menendez (#11) requiring the GAO to prepare a report on compensation and benefits for reserve component members; Bishop (#14) requiring a study of effectiveness of self administered pre- and post-deployment exams; Andrews (#16) as modified, requiring the DOD to include a provision in their contracts with all defense contractors prohibiting them from requiring licenses and fees from businesses that manufacture, distribute, or sell models and model kits; Blunt (#17) requiring DOD to establish the employment of National Guard and Reserve Personnel as an evaluation factor in the awarding of defense contracts; Matheson (#22) prohibiting the DOD from destroying historical fallout records; and Hostettler (#23) amending the Immigration and Nationality Act to admit Afghan and Iraqi nationals who serve U.S. forces as interpreters; **Page 11322**

Weldon of Pennsylvania amendment (No. 27 printed in H. Rept. 109–96) that expresses the sense of Congress that the U.S. should cooperate with Russia on missile defense; and **Page 11343**

Stearns amendment (No. 6 printed in H. Rept. 109–96) that expresses the sense of Congress that any college or university that denies equal access or discriminate against ROTC programs or military recruiters should be denied certain Federal taxpayer support (by a recorded vote of 336 ayes to 92 noes, Roll No. 218). **Pages 11321, 11344**

Rejected:

Davis of California amendment (No. 12 printed in H. Rept. 109–96) that sought to lift the current ban on privately funded abortions at U.S. military facilities overseas (by a recorded vote of 194 ayes to 233 noes, Roll No. 216); **Pages 11310, 11319**

Bradley amendment (No. 29 printed in H. Rept. 109–96) that sought to postpone the BRAC recommendations until one year after certain actions occur (by a recorded vote of 112 ayes to 316 noes, Roll No. 219); and **Pages 11329, 11345**

Woolsey amendment (No. 26 printed in H. Rept. 109–96) that sought to express the sense of Congress that the President should develop a plan for the withdrawal of U.S. military forces from Iraq (by a recorded vote of 128 ayes to 300 noes, Roll No. 220). **Pages 11338, 11346**

Agreed to amend the title so as to read: to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year. **Page 11351**

Agreed that the Clerk be authorized to make technical corrections and conforming changes in the engrossment of the bill. **Page 11351**

H. Res. 293, the rule providing for consideration of the bill was agreed to by a recorded vote of 225 ayes to 198 noes, Roll No. 213, after agreeing to order the previous question by a yea-and-nay vote of 225 yeas to 200 nays, Roll No. 212. **Page 11196**

Suspension: The House agreed to suspend the rules and pass the following measure:

Surface Transportation Extension Act of 2005: H.R. 2566, to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century. **Page 11351**

Senate Message: Message received from the Senate today appears on page 11351.

Quorum Calls—Votes: Two yea-and-nay votes and nine recorded votes developed during the proceedings today and appear on pages 11207–08, 11318–21, 11344–46, and 11349–51. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:35 p.m.

Committee Meetings

REVIEW—NATIONAL FOREST LAND MANAGEMENT PLANNING

Committee on Agriculture: Held a hearing to Review National Forest Land Management Planning. Testimony was heard from the following officials of the USDA: David Tenny, Deputy Under Secretary, Natural Resources and Environment; and Frederick Norbury, Associate Deputy Chief, National Forest System, Forest Service; and public witnesses.

AGRICULTURE, RURAL DEVELOPMENT, FDA, AND RELATED AGENCIES APPROPRIATIONS FISCAL YEAR 2006

Committee on Appropriations: Ordered reported the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies appropriations for Fiscal Year 2006.

U.S. BOXING COMMISSION ACT; DRUG FREE SPORTS ACT

Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protection approved for full Committee action, as amended, the following bills: H.R. 1065, United States Boxing Commission Act; and H.R. 1862, Drug Free Sports Act.

COMMUNITY HEALTH CENTERS

Committee on Energy and Commerce: Held a hearing on a Review of Community Health Centers: Issues and Opportunities. Testimony was heard from the following officials of the Department of Health and Human Services: Elizabeth M. Duke, Health Resources and Services Administration; and Dennis Smith, Acting Administrator, Centers for Medicare and Medicaid Services; and public witnesses.

FEDERAL HOUSING FINANCE REFORM ACT

Committee on Financial Services: Ordered reported, as amended, H.R. 1461, Federal Housing Finance Reform Act of 2005.

TAXPAYER PAPERWORK—INCREASING BURDEN

Committee on Government Reform: Subcommittee on Regulatory Affairs held a hearing entitled "Less is More: The Increasing Burden of Taxpayer Paperwork." Testimony was heard from Mark W. Everson, Commissioner, IRS, Department of the Treasury; John D. Graham, Administrator, Office of Information and Regulatory Affairs, OMB; and public witnesses.

AGRO-TERRORISM THREAT

Committee on Homeland Security: Subcommittee on Intelligence, Information Sharing and Terrorism Risk Assessment held a hearing entitled "Evaluating the Threat of Agro-Terrorism." Testimony was heard from Joseph W. Reardon, Food Administrator, Food and Drug Protection Division, Department of Agriculture and Consumer Services, State of North Carolina; and a public witness.

NORTHERN IRELAND—PEACE PROCESS

Committee on International Relations: Subcommittee on Europe and Emerging Threats held a hearing on Northern Ireland: Prospects for the Peace Process. Testimony was heard from Mitchell B. Reiss, Special Envoy of the President and Secretary of State for the Northern Ireland Peace Process, Department of State.

LATIN AMERICA—TRANSPARENCY AND RULE OF LAW

Committee on International Relations: Subcommittee on Western Hemisphere held a hearing on Transparency and Rule of Law in Latin America. Testimony was heard from Adolfo A. Franco, Assistant Administrator, Bureau of Latin America and the Caribbean, U.S. Agency for International Development; Jonathan D. Farrar, Deputy Assistant Secretary, Bureau for International Narcotics and Law Enforcement Affairs, Department of State; and Otto J. Reich, former Assistant Secretary of State for Western Hemisphere Affairs; and public witnesses.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Ordered reported the following measures: H.R. 800, amended, Protection of Lawful Commerce in Arms Act; H.R. 420, amended, Lawsuit Abuse Reduction Act of 2005; H.R. 554, amended, Personal Responsibility in Food Consumption Act; and H.J. Res. 10, Proposing an amendment to the Constitution of the United States authorizing the Congress to prohibit the physical desecration of the flag of the United States.

MARSHALL ISLANDS—U.S. NUCLEAR LEGACY

Committee on Resources, and the Subcommittee on Asia and the Pacific of the Committee on International Relations held a joint oversight hearing entitled "The United States Nuclear Legacy in the Marshall Islands: Consideration of Issues Relating to the Changes Circumstances Petition." Testimony was heard from Howard Krawitz, Acting Deputy Assistant Secretary, East Asian and Pacific Affairs, Department of State; Steven V. Cary, Deputy Assistant Secretary, Health, Department of Energy; Andre Bouville, Division of Cancer Epidemiology and Genetics, National Cancer Institute, NIH, Department of Health and Human Services; the following officials of The Republic of the Marshall Islands: Gerald Zackios, Foreign Minister; and Judge James H. Plasman, Chairman, Nuclear Claims Tribunal; David Bearden, Analyst in Environmental Policy, CRS, Library of Congress; and public witnesses.

MILITARY QUALITY OF LIFE, AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS

Committee on Rules: Granted, by voice vote, an open rule providing 1 hour of general debate on H.R. 2528, making appropriations for military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2006, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. Under the rules of the House the bill shall be read for amendment by paragraph. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill). The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representative Walsh.

U.S. JET TRANSPORT INDUSTRY

Committee on Transportation and Infrastructure: Subcommittee on Aviation held an oversight hearing entitled "The U.S. Jet Transport Industry: Global Market Factors Affecting U.S. Producers." Testimony was heard from Joseph H. Bogosian, Deputy Assistant Secretary, Manufacturing, Department of Commerce; Ambassador Peter F. Allgeier, Deputy U.S. Trade Representative; and public witnesses.

VETERANS MEASURES

Committee on Veterans' Affairs: Subcommittee on Economic Opportunity held a hearing on the following bills: H.R. 717, To amend title 38, United States Code, to expand the scope of programs of education for which accelerated payments of educational assistance under the Montgomery GI Bill may be used; H.R. 745, Veterans Self-Employment Act of 2005; and H.R. 1207, Department of Veterans Affairs Work-Study Act of 2005. Testimony was heard from. Representatives Simpson and Sodrel; Jack McCoy, Director, Education Service, Veterans Benefits Administration, Department of Veterans Affairs; Alexander Keenan, Director, National Training Center, Federal Motor Carrier Safety Administration, Department of Transportation; a representative of a veterans organization; and public witnesses.

IRAN BRIEFING

Permanent Select Committee on Intelligence: Subcommittee on Terrorism, Human Intelligence Analysis and Counter-Intelligence met in executive session to receive a Briefing on Iran. Testimony was heard from departmental witnesses.

BRIEFING—CIA HUMINT TRAINING NEEDS

Permanent Select Committee on Intelligence: Subcommittee on Terrorism, Human Intelligence Analysis and Counter-Intelligence met in executive session to receive a Briefing on CIA Humint Training Needs. Testimony was heard from departmental witnesses.

Joint Meetings

KOSOVO

Commission on Security and Cooperation in Europe (Helsinki Commission): Committee concluded a hearing to examine human rights concerns in Kosovo, after receiving testimony from Soren Jessen-Petersen, Special Representative of the United Nations Secretary General and Head of United Nations Mission in Kosovo; and Charles L. English, Director, Office of South Central European Affairs, Department of State.

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Thursday, May 26, 2005

Senate

Chamber Action

Routine Proceedings, pages 11469–11603

Measures Introduced: Thirty-three bills and five resolutions were introduced, as follows: S. 1128–1160, S. Res. 157–159, and S. Con. Res. 39–40. **Page 11548**

Measures Reported:

S. 606, to amend the Clean Air Act to eliminate methyl tertiary butyl ether from the United States fuel supply, to increase production and use of renewable fuel, and to increase the Nation's energy independence, with amendments. (S. Rept. No. 109–74)

S. 302, to make improvements in the Foundation for the National Institutes of Health, with an amendment in the nature of a substitute. (S. Rept. No. 109–75) **Page 11547**

Measures Passed:

Transportation Equity Act: Senate passed H.R. 2566, to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century, clearing the measure for the President. **Page 11487**

Adjournment Resolution: Senate agreed to H. Con. Res. 167, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate. **Page 11592**

Robert M. La Follette, Sr. Post Office Building: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of H.R. 1760, to designate the facility of the United States Postal Service located at 215 Martin Luther King, Jr. Boulevard in Madison, Wisconsin, as the "Robert M. La Follette, Sr. Post Office Building", and the bill was then passed, clearing the measure for the President. **Page 11593**

Recognizing Oklahoma Independent Petroleum Association 50th Anniversary: Senate agreed to S. Res. 159, recognizing the 50th anniversary of the Oklahoma Independent Petroleum Association and its members vital contribution to the oil and gas industry of the United States. **Page 11593**

Transportation Equity Act: Senate insisted on its amendment to H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, agreed to the House request for a conference on the disagreeing votes of the two Houses, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Inhofe, Warner, Bond, Voinovich, Chafee, Murkowski, Thune, DeMint, Isakson, Vitter, Grassley, Hatch, Shelby, Allard, Stevens, Lott, Jeffords, Baucus, Lieberman, Boxer, Carper, Clinton, Lautenberg, Obama, Conrad, Inouye, Rockefeller, Sarbanes, Reed, and Johnson. **Page 11589**

Nomination Considered: Senate continued consideration of the nomination of John Robert Bolton, of Maryland, to be Representative of the United States of America to the United Nations. **Pages 11469, 11487**

During consideration of this nomination today, Senate also took the following action:

By 56 yeas to 42 nays (Vote No. 129), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the nomination. **Page 11523**

Subsequently, Senator Frist entered a motion to reconsider the vote by which the motion to invoke cloture on the nomination (listed above) failed. **Page 11524**

Nomination Considered: Senate began consideration of the nomination of Janice R. Brown, of California, to be United States Circuit Judge for the District of Columbia Circuit. **Page 11590**

A motion was entered to close further debate on the nomination and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur at 12 noon, on Tuesday, June 7, 2005. **Page 11590**

A unanimous-consent agreement was reached providing for further consideration of the nomination at 2 p.m. on Monday, June 6, 2005. **Page 11594**

Nomination Considered: Senate began consideration of the nomination of William H. Pryor, Jr., of Alabama, to be United States Circuit Judge for the Eleventh Circuit. **Page 11590**

A motion was entered to close further debate on the nomination and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture may occur on Tuesday, June 7, 2005. **Page 11590**

Nomination—Referral: A unanimous-consent agreement was reached providing that the nomination of Israel Hernandez, of Texas, to be Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Service, received on today, be jointly-referred to the Committee on Commerce, Science, and Transportation and the Committee on Banking, Housing, and Urban Affairs. **Page 11590**

Authorizing Leadership To Make Appointments—Agreement: A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate, the President of the Senate, the President pro tempore, and the Majority and Minority Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate. **Page 11593**

Signing Authority Agreement: A unanimous-consent agreement was reached providing that during the adjournment of the Senate, the Majority Leader, Majority Whip and Senator Warner, be authorized to sign duly enrolled bills or joint resolutions. **Page 11593**

Authority for Committees: A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate, all committees were authorized to file legislative and executive matters on Wednesday, June 1, 2005, from 10 a.m. until 12 noon. **Page 11593**

Appointments:

Board of Directors of the Office of Compliance: The Chair, on behalf of the Majority and Minority Leaders of the Senate and the Speaker and Minority Leader of the House of Representatives, pursuant to Section 301 of Public Law 104–1, as amended by Public Law 108–349, announced the joint re-designation of the following individual, as Chair of the Board of Directors of the Office of Compliance: Susan S. Robfogel of New York. **Page 11593**

Board of Directors of the Office of Compliance: The Chair, on behalf of the Majority and Minority Leaders of the Senate and the Speaker and Minority Leader of the House of Representatives, pursuant to Section 301 of Public Law 104–1, as amended by Public Law 108–349, announced the joint re-designation of the following individuals, as Chair of the Board of Directors of the Office of Compliance: Barbara L. Camens of the District of Columbia, and Roberta L. Holzwarth of Illinois. **Page 11593**

Nominations Confirmed: Senate confirmed the following nominations:

Harry Robinson, Jr., of Texas, to be a Member of the National Museum Services Board for a term expiring December 6, 2008.

Charles P. Ruch, of South Dakota, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring August 11, 2010.

Tony Hammond, of Virginia, to be a Commissioner of the Postal Rate Commission for a term expiring October 14, 2010.

Robert Joseph, of Virginia, to be Under Secretary of State for Arms Control and International Security. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Kim Wang, of California, to be a Member of the National Museum and Library Services Board for a term expiring December 6, 2009.

Kenneth J. Krieg, of Virginia, to be Under Secretary of Defense for Acquisition, Technology, and Logistics.

Sean Ian McCormack, of the District of Columbia, to be an Assistant Secretary of State (Public Affairs). (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Raymond Simon, of Arkansas, to be Deputy Secretary of Education.

David Horton Wilkins, of South Carolina, to be Ambassador to Canada. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

James M. Derham, of Virginia, to be Ambassador to the Republic of Guatemala. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

William Alan Eaton, of Virginia, to be Ambassador to the Republic of Panama. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Paul A. Trivelli, of Virginia, to be Ambassador to the Republic of Nicaragua. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Victoria Nuland, of Connecticut, to be Permanent Representative of the United States of America on the Council of the North Atlantic Treaty Organization, with the rank and status of Ambassador. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Linda Jewell, of the District of Columbia, to be Ambassador to the Republic of Ecuador. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

John F. Tefft, of Virginia, to be Ambassador to Georgia. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

4 Air Force nominations in the rank of general.

30 Army nominations in the rank of general.

4 Coast Guard nominations in the rank of admiral. (Prior to this action, Committee on Commerce, Science, and Transportation was discharged from further consideration.)

2 Marine Corps nominations in the rank of general.

55 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Navy.

Routine list in the Coast Guard. (Prior to this action, Committee on Commerce, Science, and Transportation was discharged from further consideration.)

Routine list in the National Oceanic and Atmospheric Administration. (Prior to this action, Committee on Commerce, Science, and Transportation was discharged from further consideration.) **Pages 11547, 11590, 11602**

Nominations Received: Senate received the following nominations:

William Anderson, of Connecticut, to be an Assistant Secretary of the Air Force.

Richard A. Raymond, of Nebraska, to be Under Secretary of Agriculture for Food Safety.

Randal Quarles, of Utah, to be an Under Secretary of the Treasury.

Israel Hernandez, of Texas, to be Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Service.

Philip D. Morrison, of the District of Columbia, to be an Assistant Secretary of the Treasury.

Ronald E. Neumann, of Virginia, to be Ambassador to the Islamic Republic of Afghanistan.

Gregory L. Schulte, of Virginia, to be Representative of the United States of America to the Vienna Office of the United Nations, with the rank of Ambassador.

Gregory L. Schulte, of Virginia, to be Representative of the United States of America to the International Atomic Energy Agency, with the rank of Ambassador.

A routine list in the Air Force. **Page 11595**

Messages From the House: **Page 11544**

Measures Referred: **Page 11545**

Measures Placed on Calendar: **Page 11545**

Measures Read First Time: **Page 11545**

Executive Communications: **Page 11545**

Executive Reports of Committees: **Page 11547**

Additional Cosponsors: **Page 11549**

Statements on Introduced Bills/Resolutions: **Page 11551**

Additional Statements: **Page 11542**

Authority for Committees to Meet: **Page 11588**

Privilege of the Floor: **Page 11589**

Record Votes: One record vote was taken today. (Total—129) **Page 11523**

Adjournment: Senate convened at 9:30 a.m. and, pursuant to the provisions of H. Con. Res. 167, adjourned at 9:02 p.m., until 2 p.m., on Monday, June 6, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 11594.)

Committee Meetings

APPROPRIATIONS: DEPARTMENT OF COMMERCE

Committee on Appropriations: Subcommittee on Commerce, Justice, Science and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the Department of Commerce, after receiving testimony from Carlos M. Gutierrez, Secretary of Commerce.

APPROPRIATIONS: USAID

Committee on Appropriations: Subcommittee on State, Foreign Operations, and Related Programs concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the United States Agency for International Development (USAID), after receiving testimony from Andrew S. Natsios, Administrator, United States Agency for International Development.

INTERNATIONAL ECONOMICS

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the report to Congress on international economic and exchange rate policies, focusing on imbalances in the global economy, and China's currency regime, after receiving testimony from John W. Snow, Secretary of the Treasury.

AVIATION CAPACITY AND CONGESTION

Committee on Commerce, Science, and Transportation: Subcommittee on Aviation concluded a hearing to examine aviation capacity and congestion challenges regarding summer 2005 and future demand, focusing on traffic and delay trends, factors contributing to the increased system complexity, how the aviation community is responding, and the specific actions that must be pursued in order to meet the forecasted demand and maintain global leadership in aviation safety, capacity, and efficiency, after receiving testimony from Marion C. Blakey, Administrator, Federal Aviation Administration, and Kenneth M. Mead, Inspector General, both of the Department of Transportation; Gerald Dillingham, Director, Civil Aviation Issues, Government Accountability Office; and Amr A. ElSawy, MITRE Corporation, McLean, Virginia.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported an original bill to enhance the energy security of the United States.

NRC OVERSIGHT

Committee on Environment and Public Works: Subcommittee on Clean Air, Climate Change, and Nuclear Safety concluded an oversight hearing to examine the Nuclear Regulatory Commission (NRC), focusing on challenges facing the NRC in effectively carrying out its mission, especially in overseeing the security and safety of nuclear power plants in the United States, after receiving testimony from Nils J. Diaz, Chairman, Edward McGaffigan, Jr., Commissioner, and Gregory B. Jaczko, Commissioner, all of the Nuclear Regulatory Commission; Jim Wells, Director, Natural Resources and Environment, Government Accountability Office; Marilyn C. Kray, Exelon Nuclear, Kennett Square, Pennsylvania, on behalf of NuStart Energy Development; and Edwin S. Lyman, Union of Concerned Scientists, Washington, D.C.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Dina Habib Powell, of Texas, to be Assistant Secretary of State for Educational and Cultural Affairs, who was introduced by Senators Hutchison and Cornyn; and Sean Ian McCormack, of the District of Columbia, to be Assistant Secretary of State for Public Affairs, after the nominees testified and answered questions in their own behalf.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Rodolphe M. Vallee, of Vermont, to be Ambassador to the Slovak Republic, who was introduced by Senators Leahy and Jeffords; Molly Hering Bordonaro, of Oregon, to be Ambassador to the Republic of Malta, who was introduced by Senators Smith and Wyden; and Ann Louise Wagner, of Missouri, to be Ambassador to Luxembourg, who was introduced by Senators Bond and Talent, after the nominees testified and answered questions in their own behalf.

CONTAINER SECURITY INITIATIVE

Committee on Homeland Security and Governmental Affairs: Permanent Subcommittee on Investigations concluded a hearing to examine the container security initiative and the customs-trade partnership against terrorism, focusing on how Customs utilizes container security initiative and customs trade partnership against terrorism in connection with its other enforcement programs and review the requirements for and challenges involved in transitioning these from promising risk management concepts to effective and sustained enforcement operations, after receiving testimony from Robert C. Bonner, Commissioner, U.S. Customs and Border Protection, and C. Stewart Verdery, Jr., Mehlman Vogel Castagnetti, Inc., Washington, D.C., former Assistant Secretary of Border and Transportation Security Policy, both of the Department of Homeland Security; Richard M. Stana, Director, Homeland Security and Justice Team, Government Accountability Office; and Commander Stephen E. Flynn, USCG (Ret.), Council on Foreign Relations, New York, New York.

PRIVATE RESEARCH AND DEVELOPMENT

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, and International Security concluded a hearing to examine the effectiveness of federal financing of private research and development, and whether some of these programs result in the development of new technologies or displace private investment, after receiving testimony from Robin M. Nazzaro, Director, Natural Resources and Environment, Government Accountability Office; Brian Riedl, The Heritage Foundation, and Charles W. Wessner, National Research Council, The National Academies, both of Washington, D.C.

EMPLOYMENT TRENDS

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine issues relating to the 21st century workplace, focusing on preparing for tomorrow's employment trends today, after receiving testimony from Tamara J. Erickson, The Concours Group, Watertown, Massachusetts; and Diana Furchtgott-Roth, Hudson Institute, and Jared Bernstein, Economic Policy Institute, both of Washington, D.C.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 852, to create a fair and efficient system to resolve claims of victims for bodily injury caused by asbestos exposure, with amendments; and

The nominations of Richard A. Griffin, of Michigan, to be United States Circuit Judge for the Sixth Circuit, David W. McKeague, of Michigan, to be United States Circuit Judge for the Sixth Circuit, and Paul D. Clement, of Virginia, to be Solicitor General of the United States, Anthony Jerome Jenkins, of Virgin Islands, to be United States Attorney for the District of the Virgin Islands, Stephen Joseph Murphy III, of Michigan, to be United States Attorney for the Eastern District of Michigan, Gretchen C.F. Shappert, of North Carolina, to be United States Attorney for the Western District of North Carolina, and Regina B. Schofield, of Virginia, to be Assistant Attorney General for the Office of Justice Programs, all of the Department of Justice.

IMMIGRATION REFORM

Committee on the Judiciary: Subcommittee on Immigration, Border Security and Citizenship concluded a hearing to examine the need for comprehensive immigration reform relating to the national economy, focusing on the proposed Temporary Worker Program recognizing that the economy relies on temporary foreign workers to fill workforce shortages when there are insufficient numbers of willing or able domestic workers, after receiving testimony Steven J. Law, Deputy Secretary of Labor; Thomas J. Donahue, United States Chamber of Commerce, and Daniel Griswold, Cato Institute, both of Washington, D.C.; and Douglas S. Massey, Princeton University, Princeton, New Jersey.

VA DISABILITY CLAIMS PROCESS

Committee on Veterans' Affairs: Committee concluded a hearing to examine challenges facing the VA claims adjudication and appeal process, focusing on the current state of VA's disability claims process and factors that may impede VA's ability to improve performance, after receiving testimony from Daniel L. Cooper, Under Secretary for Benefits, Ronald Garvin, Acting Chairman of the Board of Veterans' Appeals, and Robert H. Epley, Associate Deputy Under Secretary for Policy and Program Management, Veterans Benefits Administration, all of the Department of Veterans Affairs; Cynthia A. Bascetta, Director, Education, Workforce and Income Security, Government Accountability Office; Kenneth B. Kramer, former Chief Judge of the United States Court of Appeals for Veterans Claims; Robert Chisholm, National Organization of Veterans Advocates, Providence, Rhode Island; and Rick Surratt, Disabled American Veterans, Washington, D.C.

BUSINESS MEETING

Select Committee on Intelligence: Committee met in closed session to consider pending intelligence matters.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Measures Introduced: 97 public bills, H.R. 2646–2742; 1 private bill, H.R. 2743; and 13 resolutions, H.J. Res. 52; H. Con. Res. 167–173; and H. Res. 299–302, were introduced. **Page 11461**

Additional Cosponsors: **Page 11466**

Reports Filed: Reports were filed today as follows:

H.R. 1496, to return general aviation to Ronald Reagan Washington National Airport, amended (H. Rept. 109–98);

H.R. 2293, to provide special immigrant status for aliens serving as translators with the United States Armed Forces, amended (H. Rept. 109–99); and

H.J. Res. 27, resolution withdrawing the approval of the United States from the Agreement establishing the World Trade Organization, adversely (H. Rept. 109–100). **Page 11461**

Military Quality of Life and Veterans Affairs, and Related Agencies Appropriations Act for FY 2006: The House passed H.R. 2528, making appropriations for military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2006, by a yea-and-nay vote of 425 yeas to 1 nay, Roll No. 226. **Page 11405**

Agreed to:

Jones of Ohio amendment that prohibits the use of funds to close or realign any military installation approved for closure or realignment in 2005 before the Secretary of Defense makes the information available upon which the closure and realignment recommendations were based. **Page 11431**

Rejected:

Melancon amendment that sought to increase funding for the Department of Veterans Affairs (by a recorded vote of 213 ayes to 214 noes, Roll No. 224); and **Pages 11417, 11433**

Blumenauer amendment (No. 2 printed in the Congressional Record of May 25) that sought to increase funding for Base Realignment and Closure Account 1990 (by a recorded vote of 171 ayes to 254 noes, Roll No. 225). **Pages 11421, 11434**

Withdrawn:

Blumenauer amendment (No. 3 printed in the Congressional Record of May 25) that was offered and subsequently withdrawn that sought to increase funding for Base Realignment and Closure Account 1990; **Page 11423**

Jones of Ohio amendment that was offered and subsequently withdrawn that sought to prohibit the use of funds to implement the results of the 2005 round of base closures and realignments until the completion of all environmental remediation associated with the closure of military installations approved for closure in the 1995 round; and **Page 11430**

Tiahrt amendment that was offered and subsequently withdrawn that sought to prohibit the use of funds to promulgate regulations without consideration of the effect of such regulations on the competitiveness of American businesses. **Page 11432**

Point of Order:

Obey amendment that increases funding for the Department of Veterans Affairs, and adds a new section to the end of the bill regarding tax reduction. **Page 11427**

H. Res. 298, the rule providing for consideration of the measure was agreed to by voice vote, after agreeing to order the previous question by a yea-and-nay vote of 223 yeas to 194 nays, Roll No. 223. **Page 11397**

Late Report: Agreed that the Committee on Appropriations have until midnight on June 3 to file a report on a bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and related agencies for the fiscal year ending September 30, 2006. **Page 11436**

Late Report: Agreed that the Permanent Select Committee on Intelligence have until midnight on June 5 to file a report on H.R. 2475. **Page 11436**

Transportation Equity Act—Motion to go to Conference: The House disagreed to the Senate amendment to H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and requested a conference. **Page 11436**

Rejected the Oberstar motion to instruct conferees by a yea-and-nay vote of 189 yeas to 223 nays, Roll No. 227. **Page 11436**

Appointed as conferees: From the Committee on Transportation and Infrastructure, for consideration of the House bill (except title X) and the Senate amendment (except title V), and modifications committed to conference: Representatives Young of Alaska, Petri, Boehlert, Coble, Duncan, Mica, Hoekstra, LaTourette, Bachus, Baker, Gary G. Miller of California, Hayes, Simmons, Brown of South Carolina, Graves, Shuster, Boozman, Oberstar, Rahall, DeFazio, Costello, Norton, Nadler, Menendez, Corrine Brown of Florida, Filner, Eddie Bernice Johnson of Texas, Taylor of Mississippi, Millender-McDonald, Cummings, Blumenauer, and Tauscher; **Page 11459**

From the Committee on the Budget, for consideration of secs. 8001–8003 of the House bill, and Title III of the Senate amendment, and modifications committed to conference: Representatives Nussle, Mario Diaz-Balart of Florida, and Spratt; **Page 11459**

From the Committee on Education and the Workforce, for consideration of secs. 1118, 1605, 1809, 3018, and 3030 of the House bill, and secs. 1304, 1819, 6013, 6031, 6038, and 7603 of the Senate amendment, and modifications committed to conference: Representatives Kline, Keller, and Barrow; **Page 11459**

From the Committee on Energy and Commerce, for consideration of provisions in the House bill and Senate amendment relating to Clean Air Act provisions of transportation planning contained in secs. 6001 and 6006 of the House bill, and secs. 6005 and 6006 of the Senate amendment; and secs. 1210, 1824, 1833, 5203, and 6008 of the House bill, and secs. 1501, 1511, 1522, 1610–1619, 1622, 4001, 4002, 6016, 6023, 7218, 7223, 7251, 7252, 7256–7262, 7324, 7381, 7382, and 7384 of the Senate amendment, and modifications committed to conference: Representatives Barton of Texas, Pickering, and Dingell; **Page 11459**

From the Committee on Government Reform, for consideration of sec. 4205 of the House bill, and sec. 2101 of the Senate amendment, and modifications committed to conference: Representatives Tom Davis of Virginia, Platts, and Waxman; **Page 11459**

From the Committee on Homeland Security, for consideration of secs. 1834, 6027, 7324, and 7325 of the Senate amendment, and modifications committed to conference: Representatives Cox, Daniel E. Lungren of California, and Thompson of Mississippi; **Page 11459**

From the Committee on the Judiciary, for consideration of secs. 1211, 1605, 1812, 1832, 2013, 2017, 4105, 4201, 4202, 4214, 7018–7020, and 7023 of the House bill, and secs. 1410, 1512, 1513, 6006, 6029, 7108, 7113, 7115, 7338, 7340, 7343, 7345, 7362, 7363, 7406, 7407, and 7413 of the Senate amendment, and modifications committed to conference: Representatives Sensenbrenner, Smith of Texas, and Conyers; **Page 11459**

From the Committee on Resources, for consideration of secs. 1119, 3021, 6002, and 6003 of the House bill, and secs. 1501, 1502, 1505, 1511, 1514, 1601, 1603, 6040, and 7501–7518 of the Senate amendment, and modifications committed to conference: Representatives Pombo, Walden of Oregon, and Kind; **Page 11459**

From the Committee on Rules, for consideration of secs. 8004 and 8005 of the House bill, and modifications committed to conference: Representatives Dreier, Capito, and McGovern; **Page 11459**

From the Committee on Science, for consideration of secs. 2010, 3013, 3015, 3034, 3039, 3041, 4112, and Title V of the House bill, and Title II and secs. 6014, 6015, 6036, 7118, 7212, 7214, 7361, and 7370 of the Senate amendment, and modifications committed to conference: Representatives Ehlers, Reichert, and Gordon; **Page 11459**

From the Committee on Ways and Means, for consideration of Title X of the House bill, and Title V of the Senate amendment, and modifications committed to conference: Representatives Thomas, McCrery, and Rangel; and **Page 11459**

For consideration of the House bill and Senate amendment, and modifications committed to conference: Majority Leader Mr. DeLay. **Page 11459**

Memorial Day District Work Period: The House agreed to H. Con. Res. 167 providing for a conditional adjournment of the House and a conditional recess or adjournment of the Senate. **Page 11440**

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at noon on Monday, May 30, unless it sooner has received a message from the Senate transmitting its concurrence in H. Con. Res. 167 in which case the House shall stand adjourned pursuant to that concurrent resolution. **Page 11441**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, June 8. **Page 11441**

Resignation of Inspector General: Read a letter from Steven A. McNamara, in which he announced his resignation as Inspector General for the House of Representatives, effective May 30, 2005. **Page 11441**

Speaker: Read a letter from the Speaker wherein he appointed Representative Thornberry, or if he is not available, Representative Gilchrest to sign enrolled bills and joint resolutions through June 7, 2005. **Page 11459**

Senate Message: Message received from the Senate today appears on page 11447.

Quorum Calls—Votes: Three yea-and-nay votes and two recorded votes developed during the proceedings today and appear on pages 11404, 11433–35, and 11439. There were no quorum calls.

Adjournment: The House met at 10 a.m. and at 6:23 p.m., pursuant to the provisions of H. Con. Res. 167 stands adjourned until noon on Monday, May 30, unless it sooner has received a message from the Senate transmitting its concurrence in the H. Con. Res. 167, in which case the House shall stand adjourned until 2 p.m. on Tuesday, June 7.

Committee Meetings

FEDERAL WORKERS COMPENSATION IMPROVEMENT; FEDERAL FIREFIGHTERS FAIRNESS ACT

Committee on Education and the Workforce: Subcommittee on Workforce Protections held a hearing on the following measures: H.R. 2561, To amend the Federal Employees' Compensation Act to cover services provided to injured Federal workers by physician assistants and nurse practitioners; and H.R. 697, Federal Firefighters Fairness Act of 2005. Testimony was heard from Representative Jo Ann Davis of Virginia; and public witnesses.

CLEAR SKIES INITIATIVE

Committee on Energy and Commerce: Subcommittee on Energy and Air Quality held a hearing on the Administration's Clear Skies Initiative. Testimony was heard from James L. Connaughton, Chairman, Council on Environmental Quality; and Jeffrey R. Holmstead, Assistant Administrator, Air and Radiation, EPA.

PANDEMIC FLU THREAT

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled "The Threat of and Planning for Pandemic Flu." Testimony was heard from the following officials of the Department of Health and Human Services: Bruce Gellin, Director, National Vaccine Program Office, Office of Public Health and Science; Julie Louise Gerberding, M.D., Director, Centers for Disease Control and Prevention; and Anthony S. Fauci, M.D., Director, National Institute of Allergy and Infectious Diseases; Marcia Crosse, Director, Health Care Issues, GAO; and public witnesses.

DTV TRANSITION ACT

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held a hearing on the DTV Transition Act of 2005. Testimony was heard from Rick Chessen, Chair, DTV Task Force, FCC; Mark L. Goldstein, Director, Physical Infrastructure Team, GAO; Steve Souder, Director, 911 Emergency Communications Center, Montgomery County, State of Maryland; and public witnesses.

FINANCIAL INSTITUTIONS DETECTING CRIMES

Committee on Financial Services: Subcommittee on Oversight and Investigations held a hearing entitled "The First Line of Defense: The Role of Financial Institutions in Detecting Financial Crimes." Testimony was heard from William J. Fox, Director, Financial Crimes Enforcement Network, Department of the Treasury; Michael Morehart, Director, Terrorist Financing Operations Section, FBI, Department of Justice; and public witnesses.

DRUG TESTING IN AMERICAN SPORTS; POSTAL SERVICE FACILITY NAMING

Committee on Government Reform: Ordered reported the following bills: H.R. 2565, to reauthorize the Office of National Drug Control Policy Act and to establish minimum drug testing standards for major professional sports leagues; and H.R. 2326, To designate the facility of the United States Postal Service located at 614 West Old County Road in Belhaven, North Carolina, as the "Floyd Lupton Post Office."

FEDERAL STUDENT LOAN PROGRAM

Committee on Government Reform: Held a hearing entitled "Federal Student Loan Program: Are They Meeting the Needs of Students and Schools?" Testimony was heard from the following officials of the Department of Education: Theresa S. Shaw, Chief Operating Officer, Federal Student Aid Office; and John P. Higgins, Jr., Inspector General; and public witnesses.

TERRORIST ACTIVITIES—NUCLEAR BOMB BUILDING

Committee on Homeland Security: Subcommittee on Prevention of Nuclear and Biological Attack also held a hearing entitled "Building a Nuclear Bomb: Identifying Early Indicators of Terrorist Activities." Testimony was heard from public witnesses.

FOREIGN RELATIONS AUTHORIZATION ACT; RESOLUTION REGARDING SREBRENICA MASSACRE

Committee on International Relations: Subcommittee on Africa, Global Human Rights and International Operations approved for full Committee action the following measures: H.R. 2601, amended, Foreign Relations Authorization Act, Fiscal Years 2006 and 2007; and H. Res. 199, Expressing the sense of the House of Representatives regarding the massacre at Srebrenica in July 1995.

U.S. AND NORTHEAST ASIA

Committee on International Relations: Subcommittee on Asia and the Pacific held a hearing on the United States and Northeast Asia. Testimony was heard from Christopher Hill, Assistant Secretary, Bureau of East Asian and Pacific Affairs, Department of State; and Richard P. Lawless, Deputy Assistant Secretary, Asian and Pacific Affairs, Bureau of International Security Affairs, Department of Defense.

OVERSIGHT—USA PATRIOT ACT IMPLEMENTATION

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held an oversight hearing on the Implementation of the USA PATRIOT Act: Section 505 and 804. Section 505 of the Act Addresses National Security Letters; Section 804 of the Act Addresses Jurisdiction Over Crimes Committed at U.S. Facilities Abroad; and Material Witness Provisions of the Criminal Code. Testimony was heard from the following officials of the Department of Justice: Chuck Rosenberg, Chief of Staff to Deputy Attorney General; and Matthew Berry, Counselor to the Assistant Attorney General; and public witnesses.

OVERSIGHT—NATIONAL WILDLIFE REFUGE SYSTEM

Committee on Resources: Subcommittee on Fisheries and Oceans held an oversight hearing on Public Access within the National Wildlife Refuge System. Testimony was heard from William Hartwig, Assistant Director, Refugees, U.S. Fish and Wildlife Service, Department of the Interior; William S. Dudley, Immediate Past Director of Naval History, Department of the Navy; and public witnesses.

FREE TRADE—DOES CHINA ENACT BARRIERS

Committee on Small Business: Subcommittee on Rural Enterprises, Agriculture and Technology and the Subcommittee on Tax, Finance and Exports held a joint hearing on Does China Enact Barriers to Fair Trade? Testimony was heard from Steve Pinkos, Office of the Under Secretary and Director, U.S. Patent and Trade Office, Department of Commerce; and public witnesses.

TAX-EXEMPT HOSPITAL SECTOR

Committee on Ways and Means: Held a hearing on the Tax-Exempt Hospital Sector. Testimony was heard from Mark W. Everson, Commissioner, IRS, Department of the Treasury; David M. Walker, Comptroller General, GAO; Mark McClellan, M.D., Administrator, Centers for Medicare and Medicaid Services, Department of Health and Human Services; and public witnesses.

SOCIAL SECURITY—PROTECTING AND STRENGTHENING

Committee on Ways and Means: Subcommittee on Social Security continued hearings on Protecting and Strengthening Social Security. Testimony was heard from Representatives Rangel, Shaw, Sam Johnson of Texas, Lewis of Kentucky, Brady of Texas, Ryan of Wisconsin, Weller, Kolbe, Boyd, Solis, Thompson of Mississippi, Conaway, Spratt, Gonzalez, Wasserman Schultz, Cleaver, Matsui, Jackson-Lee of Texas, and Fossella.

BRIEFING—GLOBAL UPDATES

Permanent Select Committee on Intelligence: Met in executive session to receive a Briefing on Global Updates. Testimony was heard from departmental witnesses.

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Monday, June 6, 2005

Senate

Chamber Action

Routine Proceedings, pages 11635–74

Measures Introduced: Twelve bills and one resolution were introduced, as follows: S. 1161–1172, and S. Res. 160. **Page 11660**

Measures Passed:

Honoring Archbishop Iakovos: Committee on the Judiciary was discharged from further consideration of S. Res. 149, honoring the life and contributions of His Eminence, Archbishop Iakovos, former archbishop of the Greek Orthodox Archdiocese of North and South America, and the resolution was then agreed to, after agreeing to the following amendment proposed thereto: **Page 11671**

Frist (for Snowe) Amendment No. 765, to amend the preamble. **Page 11671**

National Safety Month: Senate agreed to S. Res. 160, designating June 2005 as "National Safety Month". **Page 11672**

Nomination Considered: Senate resumed consideration of the nomination of Janice R. Brown, of California, to be United States Circuit Judge for the District of Columbia Circuit. **Page 11635**

A unanimous-consent agreement was reached providing for further consideration of the nomination at 9:45 a.m. on Tuesday, June 7, 2005; that the time until 12 noon be equally divided for debate; following which, a vote on the motion to invoke cloture on the nomination will occur. **Page 11673**

Nominations Received: Senate received the following nominations:

John M. Reich, of Virginia, to be Director of the Office of Thrift Supervision for a term of five years.

Marcus C. Peacock, of Minnesota, to be Deputy Administrator of the Environmental Protection Agency.

Kevin I. Fromer, of Virginia, to be a Deputy Under Secretary of the Treasury.

Marie L. Yovanovitch, of Connecticut, to be Ambassador to the Kyrgyz Republic.

Katherine Hubay Peterson, of California, Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador to Republic of Botswana.

Charles A. Ford, of Virginia, to be Ambassador to the Republic of Honduras.

John Ross Beyrle, of Michigan, to be Ambassador to the Republic of Bulgaria.

Alan W. Eastham, Jr., of Arkansas, to be Ambassador to the Republic of Malawi.

John R. Fisher, of the District of Columbia, to be an Associate Judge of the District of Columbia Court of Appeals for the term of fifteen years.

Henry Louis Johnson, of Mississippi, to be Assistant Secretary for Elementary and Secondary Education, Department of Education.

3 Army nominations in the rank of general.

Routine lists in the Army and Navy. **Page 11673**

Nominations Withdrawn: Senate received notification of withdrawal of the following nomination:

John M. Reich, of Virginia, to be Director of the Office of Thrift Supervision for a term expiring October 23, 2007, vice James Gilleran, term expired, which was sent to the Senate on May 25, 2005. **Page 11674**

Messages From the House: **Page 11657**

Measures Referred: **Page 11658**

Measures Placed on Calendar: **Pages 11658, 11671**

Executive Communications: **Page 11658**

Additional Cosponsors: **Page 11661**

Statements on Introduced Bills/Resolutions: **Page 11662**

Additional Statements: **Page 11656**

Amendments Submitted: **Page 11671**

Notices of Hearings/Meetings: **Page 11671**

Adjournment: Senate convened at 2 p.m. and adjourned at 5:38 p.m. until 9:45 a.m., on Tuesday, June 7, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 11673.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. Pursuant to H. Con. Res. 167, the House stands adjourned until 2 p.m. on Tuesday, June 7.

Committee Meetings

No committee meetings were held.

Résumé of Congressional Activity

FIRST SESSION OF THE ONE HUNDRED NINTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 4 through May 31, 2005

	Senate	*House*	*Total*
Days in session	68	56	..
Time in session	490 hrs., 29′	389 hrs., 47′	..
Congressional Record:			
Pages of proceedings	6,073	4,144	..
Extensions of Remarks	..	1,135	..
Public bills enacted into law	5	9	14
Private bills enacted into law	..	..	..
Bills in conference	2	1	..
Measures passed, total	157	247	404
Senate bills	16	5	..
House bills	9	87	..
Senate joint resolutions	1	..	..
House joint resolutions	2	3	..
Senate concurrent resolutions	12	6	..
House concurrent resolutions	18	36	..
Simple resolutions	99	110	..
Measures reported, total	*104	*95	199
Senate bills	83	2	..
House bills	1	47	..
Senate joint resolutions	..	..	..
House joint resolutions	..	1	..
Senate concurrent resolutions	1	..	..
House concurrent resolutions	..	2	..
Simple resolutions	19	43	..
Special reports	5	3	..
Conference reports	..	2	..
Measures pending on calendar	105	27	..
Measures introduced, total	1,369	3,270	4,639
Bills	1,151	2,743	..
Joint resolutions	19	52	..
Concurrent resolutions	40	173	..
Simple resolutions	159	302	..
Quorum calls	3	1	..
Yea-and-nay votes	129	122	..
Recorded votes	..	104	..
Bills vetoed	..	..	..
Vetoes overridden	..	..	..

*These figures include all measures reported, even if there was no accompanying report. A total of 75 reports have been filed in the Senate, a total of 29 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 4 through May 31, 2005

Civilian nominations, totaling 238, disposed of as follows:

Confirmed	70
Unconfirmed	167
Withdrawn	1

Other Civilian nominations, totaling 1,117, disposed of as follows:

Confirmed	625
Unconfirmed	492

Air Force nominations, totaling 7,979, disposed of as follows:

Confirmed	5,662
Unconfirmed	2,317

Army nominations, totaling 2,573, disposed of as follows:

Confirmed	2,441
Unconfirmed	132

Navy nominations, totaling 786, disposed of as follows:

Confirmed	231
Unconfirmed	555

Marine Corps nominations, totaling 1,297, disposed of as follows:

Confirmed	1,287
Unconfirmed	10

Summary

Total nominations carried over from the First Session	0
Total nominations received this Session	13,990
Total confirmed	10,316
Total unconfirmed	3,673
Total withdrawn	1
Total returned to the White House	0

Tuesday, June 7, 2005

Senate

Chamber Action

Routine Proceedings, pages 11677–11738

Measures Introduced: Twenty-one bills and two resolutions were introduced, as follows: S. 1173–1193, and S. Res. 161–162. **Page 11717**

Measures Reported:

S. 714, to amend section 227 of the Communications Act of 1934 (47 U.S.C. 227) relating to the prohibition on junk fax transmissions, with amendments. (S. Rept. No. 109–76) **Page 11717**

Nomination Considered: Senate continued consideration of the nomination of Janice R. Brown, of California, to be United States Circuit Judge for the District of Columbia Circuit. **Page 11678**

By 65 yeas to 32 nays (Vote No. 130), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the nomination. **Page 11691**

A unanimous-consent-time agreement was reached providing for further consideration of the nomination on Wednesday, June 8, 2005, with a vote on confirmation of the nomination to occur at 5 p.m. **Page 11691**

Appointments:

Mexico-U.S. Interparliamentary Group: The Chair, on behalf of the Vice President, pursuant to 22 U.S.C., 276h–276k, as amended, appointed the following Senator as a member of the Senate Delegation to the Mexico-U.S. Interparliamentary Group during the First Session of the 109th Congress: Senator Reed. **Page 11737**

Mexico-U.S. Interparliamentary Group: The Chair, on behalf of the Vice President, pursuant to 22 U.S.C., 276h–276k, as amended, appointed the following Senators as members of the Senate Delegation to the Mexico-U.S. Interparliamentary Group during the First Session of the 109th Congress: Senators Sessions and Crapo. **Page 11737**

Executive Communications: **Page 11716**

Additional Cosponsors: **Page 11718**

Statements on Introduced Bills/Resolutions: **Page 11719**

Additional Statements: **Page 11715**

Authority for Committees to Meet: **Page 11736**

Privilege of the Floor: **Page 11737**

Record Votes: One record vote was taken today. (Total—130) **Page 11691**

Adjournment: Senate convened at 9:45 a.m. and adjourned at 5:20 p.m. until 9:30 a.m., on Wednesday, June 8, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 11737.)

Committee Meetings

CAFTA–DR

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine the United States-Central America-Dominican Republic Free Trade Agreement (CAFTA), focusing on potential impacts on the agriculture and food sectors, after receiving testimony from Mike Johanns, Secretary of Agriculture; Allen F. Johnson, Chief Agricultural Negotiator, Office of the United States Trade Representative; Bob Stallman, Columbus, Texas, on behalf of the American Farm Bureau Federation; Cal Dooley, Food Products Association, Tom Buis, National Farmers Union, and Augustine Tantillo, American Manufacturing Trade Action Coalition, all of Washington, D.C.; Robert E. McLendon, Leary Georgia, National Cotton Council; and Jack Roney, American Sugar Alliance, Arlington, Virginia.

APPROPRIATIONS: DEPARTMENT OF THE INTERIOR

Committee on Appropriations: Subcommittee on Interior and Related Agencies approved for full Committee consideration H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, with an amendment in the nature of a substitute.

TANKER PROGRAM

Committee on Armed Services: Committee concluded open and closed hearings to examine the Department of Defense Inspector General's Management Accountability Review of the Boeing KC–767A Tanker Program, after receiving testimony from Gordon R. England, Acting Deputy Secretary, Michael W. Wynne, Under Secretary for Acquisition, Technology, and Logistics, Joseph E. Schmitz, Inspector General, and Thomas F. Gimble, Deputy Inspector General, all of the Department of Defense; and Michael L. Dominguez, Acting Secretary, and General John P. Jumper, USAF, Chief of Staff, both of the U.S. Air Force.

INTERNATIONAL MONETARY FUND REFORM

Committee on Banking, Housing, and Urban Affairs: Subcommittee on International Trade and Finance concluded a hearing to examine progress on reform of the International Monetary Fund, focusing on the growing role of international debt securities, the increase in volume of private capital flows, and the increasing interconnection between financial markets, after receiving testimony from Randal Quarles, Acting Under Secretary of the Treasury for International Affairs; Allan H. Meltzer, Carnegie Mellon University, Pittsburgh, Pennsylvania; and C. Fred Bergsten, Institute for International Economics, Washington, D.C.

PRIVATE PENSIONS

Committee on Finance: Committee held a hearing to current problems and future challenges of defined-benefit pension plans, relating to the United Airlines case, receiving testimony from David M. Walker, Comptroller General of the United States, Government Accountability Office; Bradley D. Belt, Executive Director, Pension Benefit Guaranty Corporation; Douglas Holtz-Eakin, Director, Congressional Budget Office; Patricia A. Friend, Association of Flight Attendants—CWA, AFL–CIO, and Duane E. Woerth, Air Line Pilots Associaiton, International, both of Washington, D.C.; Robert Roach, Jr., International Association of Machinists and Aerospace Workers, Upper Marlboro, Maryland; Glenn F. Tilton, United Airlines, Chicago, Illinois; Douglas M. Steenland, Northwest Airlines, Minneapolis, Minnesota; and Gerald Grinstein, Delta Air Lines, Atlanta, Georgia.

Hearing recessed subject to the call.

NOMINATION

Committee on Foreign Relations: Committee concluded a hearing to examine the nomination of Zalmay Khalilzad, of Maryland, to be Ambassador to Iraq, after the nominee, who was introduced by Senator Hagel, testified and answered questions in his own behalf.

CHINA

Committee on Foreign Relations: Subcommittee on East Asian and Pacific Affairs concluded a hearing to examine the emergence of China throughout Asia relating to security and economic consequences for the U.S., focusing on China's growth in the East Asia region, what growth means for the United States, and policy decisions to maintain U.S. presence politically, economically, and militarily in the region, after receiving testimony from Christopher R. Hill, Assistant Secretary of State for East Asian and Pacific Affairs; Minxin Pei, Carnegie Endowment for International Peace, and Catharin E. Dalpino, Georgetown University and The George Washington University, both of Washington, D.C.; and Mikkal E. Herberg, The National Bureau of Asian Research, Seattle, Washington.

PENSION PLAN REFORM

Committee on Health, Education, Labor, and Pensions: Subcommittee on Retirement Security and Aging concluded a hearing to examine reforming hybrid and multi-employer pension plans, focusing on the causes of uncertainty for hybrids and multiemployer plans, including funding problems and proposals to restore stability and solvency, after receiving testimony from Randy G. DeFrehn, National Coordinating Committee for Multiemployer Plans, Timothy P. Lynch, Motor Freight Carriers Association, William F. Sweetnam, Jr., The Groom Law Group, on behalf of the American Benefits Council, and David Certner, AARP, all of Washington, D.C.; Jeffrey Noddle, SUPERVALU, INC., Minneapolis, Minnesota, on behalf of the Food Marketing Institute; John Ward, Standard Forwarding Co., East Moline, Illinois, on behalf of the Multiemployer Pension Plan Alliance; and Ellen Collier, Eaton Corporation, Cleveland, Ohio, on behalf of the Coalition to Preserve the Defined Benefit System.

BORDER SECURITY

Committee on the Judiciary: Subcommittee on Immigration, Border Security and Citizenship and the Subcommittee on Terrorism, Technology and Homeland Security concluded joint hearings to examine the successes and challenges of border security, focusing on resources and strategies to improve national security, after receiving testimony from David Aguilar, Chief, Office of Border Patrol, U.S. Customs and Border Protection, and Wesley Lee, Acting Director, Detention and Removal Operations, U.S. Immigration and Customs Enforcement, both of the Department of Homeland Security; and C. Stewart Verdery, Jr., Mehlman Vogel Castagnetti, Inc., and Center for Strategic and International Studies, Washington, D.C.

BUSINESS MEETING

Select Committee on Intelligence: Committee met in closed session and ordered favorably reported an original bill to reauthorize certain provisions of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act of 2001 and the Intelligence Reform and Terrorism Prevention Act of 2004, to clarify certain definitions in the Foreign Intelligence Surveillance Act of 1978, to provide additional investigative tools necessary to protect the national security.

House of Representatives

Chamber Action

Measures Introduced: 44 public bills, H.R. 2745–2788; 2 private bills, H.R. 2789–2790; and 2 resolutions, H. Res. 305–306 were introduced. **Page 11781**

Additional Cosponsors: **Page 11782**

Reports Filed: Reports were filed today as follows:

Filed on June 2: H.R. 2475, to authorize appropriations for fiscal year 2006 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, amended (H. Rept. 109–101);

Filed on June 2: H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006 (H. Rept. 109–102);

H. Res. 169, recognizing the importance of sun safety, amended, (H. Rept. 109–103);

H.R. 1812, to amend the Public Health Service Act to authorize a demonstration grant program to provide patient navigator services to reduce barriers and improve health care outcomes (H. Rept. 109–104);

H. Res. 303, providing for consideration of H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006 (H. Rept. 109–105); and

H. Res. 304, providing for the consideration of H.J. Res. 27, withdrawing the approval of the United States from the Agreement establishing the World Trade Organization (H. Rept. 109–106). **Page 11780**

Speaker: Read a letter from the Speaker wherein he appointed Representative Biggert to act as speaker pro tempore for today. **Page 11739**

Board of Directors of the Office of Compliance—Reappointment: The Chair announced on behalf of the Speaker and Minority Leader of the House and the Majority and Minority Leaders of the Senate, the joint reappointment of Ms. Barbara L. Camens of Washington D.C. and Ms. Roberta L. Holzwarth of Rockford, Illinois to a five year term to the Board of Directors of the Office of Compliance; and in addition, the joint redesignation of Ms. Susan S. Robfogel of Rochester, New York as Chairman. **Page 11740**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Amending United States Code to authorize the National Defense University to award the degree of Master of Science in Joint Campaign Planning and Strategy: H.R. 1490, amended, to amend title 10, United States Code, to authorize the National Defense University to award the degree of Master of Science in Joint Campaign Planning and Strategy: **Page 11741**

Recognizing the importance of sun safety: H. Res. 169, amended, recognizing the importance of sun safety; **Page 11742**

Recognizing the historic significance of the Cinco de Mayo holiday: H. Con. Res. 44, recognizing the historic significance of the Mexican holiday of Cinco de Mayo, by a 2/3 yea-and-nay vote of 405 yeas with none voting "nay", Roll No. 228; and **Pages 11744, 11752**

Sense of the House regarding manifestations of anti-Semitism by United Nations member states: H. Res. 282, expressing the sense of the House of Representatives regarding manifestations of anti-Semitism by United Nations member states and urging action against anti-Semitism by United Nations officials, United Nations member states, and the Government of the United States, by a 2/3 yea-and-nay vote of 409 yeas to 2 nays, Roll No. 229. **Pages 11746, 11753**

Recess: The House recessed at 3:17 p.m. and reconvened at 6:30 p.m. **Page 11752**

Quorum Calls—Votes: Two yea-and-nay voted developed during the proceedings of today and appear on pages 11752 and 11753. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 11:13 p.m.

Committee Meetings

DEFENSE AND SCIENCE, THE DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, AND RELATED AGENCIES APPROPRIATIONS FISCAL YEAR 2006

Committee on Appropriations: Ordered reported the following appropriations for Fiscal Year 2006: Defense; and Science, The Departments of State, Justice, and Commerce, and Related Agencies.

DOD EXCESS PROPERTY SYSTEMS

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations held a hearing entitled "DOD Excess Property Systems: Throwing Away Millions." Testimony was heard from Gregory D. Kutz, Managing Director, Forensic Audits and Special Investigations, GAO; and the following officials of the Department of Defense: Alan F. Estevez, Assistant Deputy Under Secretary (Supply Chain Integration); MG Daniel Mongeon, USA, Director, Logistics Operations; and COL Patrick E. O'Donnell, USA, Commander, Defense Reutilization and Marketing Service.

OVERSIGHT—MUTUAL FUND TRADING ABUSES

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held an oversight hearing on "Mutual Fund Trading Abuses." Testimony was heard from Richard J. Hillman, Director, Financial Markets and Community Investment, GAO; Lori A. Richards, Director, Office of Compliance Inspections and Examinations, SEC; William Francis Galvin, Secretary, State of Massachusetts; and a public witness.

CHILD PROTECTION MEASURES

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held a hearing on the following bills: H.R. 2318, Protection Against Sexual Exploitation of Children Act of 2005; and H.R. 2388, Prevention and Deterrence of Crimes Against Children Act of 2005. Testimony was heard from Laura Parsky, Deputy Assistant Attorney General, Criminal Division, Department of Justice; Charlie Crist, Attorney General, State of Florida; and public witnesses.

INTELLIGENCE AUTHORIZATION ACT FISCAL YEAR 2006

Committee on Rules: Heard testimony from Chairman Hoekstra and Representative Shays, Harman, Markey and Maloney, but action was deferred on H.R. 2475, Intelligence Authorization Act for Fiscal Year 2006.

AGRICULTURE, RURAL DEVELOPMENT, FDA, AND RELATED AGENCIES APPROPRIATIONS FISCAL YEAR 2006

Committee on Rules: Granted, by voice vote, an open rule on H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations for the fiscal year ending September 30, 2006, providing one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. Under the rules of the House the bill shall be read for amendment by paragraph. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of the rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill), except as specified in the resolution. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Bonilla, King of Iowa, and DeLauro.

WTO WITHDRAWAL

Committee on Rules: Granted, by voice vote, a closed rule on H.J. Res. 27, withdrawing the approval of the United States from the Agreement establishing the World Trade Organizations, providing two hours of debate equally divided among and controlled by the chairman and ranking member of the Committee on Ways and Means, Representative Paul of Texas, and Representative Sanders of Vermont. Section 2 of the resolution provides that during consideration of H.J. Res. 27 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker.

Joint Meetings

HUMAN TRAFFICKING

Commission on Security and Cooperation in Europe (Helsinki Commission): Commission concluded a hearing to examine the problem of human trafficking of American citizens in the United States, and related provisions of H.R. 972, to authorize appropriations for fiscal years 2006 and 2007 for the Trafficking Victims Protection Act of 2000, after receiving testimony from Susan Orr, Associate Commissioner, Administration on Children, Youth, and Families, Department of Health and Human Service; Frank Barnaba, Paul and Lisa Program, Inc., Hartford, Connecticut; Norma Hotaling, Standing Against Global Exploitation (SAGE) Project, San Francisco, California; and a protected witness.

◆◆◆◆◆◆◆◆◆◆◆◆

Wednesday, June 8, 2005

Senate

Chamber Action

Routine Proceedings, pages 11801–69

Measures Introduced: Twelve bills and two resolutions were introduced, as follows: S. 1194–1205, and S. Res. 163–164. **Page 11852**

Measures Passed:

National Hispanic Media Week: Senate agreed to S. Res. 163, designating June 5 through June 11, 2005, as "National Hispanic Media Week", in honor of the Hispanic Media of America. **Page 11868**

Printing Authority: Senate agreed to S. Res. 164, authorizing the printing with illustrations of a document entitled "Committee on Appropriations, United States Senate, 138th Anniversary, 1867–2005." **Page 11868**

Nomination Considered: Senate resumed consideration of the nomination of William H. Pryor, Jr., of Alabama, to be United States Circuit Judge for the Eleventh Circuit. **Page 11845**

During consideration of this measure today, Senate also took the following action:

By 67 yeas to 32 nays (Vote No. 132), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the nomination. **Page 11846**

A unanimous-consent agreement was reached providing that at 4 p.m. on Thursday, June 9, 2005, Senate vote on confirmation of the nomination. **Page 11868**

A unanimous-consent-time agreement was reached providing for further consideration of the nomination at 9:30 a.m. on Thursday, June 9, 2005. **Page 11868**

Nominations Confirmed: Senate confirmed the following nominations:

By 56 yeas 43 nays (Vote No. EX. 131), Janice R. Brown, of California, to be United States Circuit Judge for the District of Columbia Circuit. **Pages 11802, 11869**

Daniel R. Levinson, of Maryland, to be Inspector General, Department of Health and Human Services.

Gretchen C.F. Shappert, of North Carolina, to be United States Attorney for the Western District of North Carolina for the term of four years.

Anthony Jerome Jenkins, of Virgin Islands, to be United States Attorney for the District of the Virgin Islands for the term of four years.

Stephen Joseph Murphy III, of Michigan, to be United States Attorney for the Eastern District of Michigan for the term of four years.

Paul D. Clement, of Virginia, to be Solicitor General of the United States.

Philip J. Perry, of Virginia, to be General Counsel, Department of Homeland Security.

Regina B. Schofield, of Virginia, to be an Assistant Attorney General. **Page 11869**

Nominations Received: Senate received the following nominations:

John Richard Smoak, of Florida, to be United States District Judge for the Northern District of Florida.

Kenneth L. Wainstein, of Virginia, to be United States Attorney for the District of Columbia for the term of four years.

26 Air Force nominations in the rank of general.

1 Army nomination in the rank of general. **Page 11869**

Messages From the House: **Page 11850**

Measures Referred: **Page 11851**

Executive Communications: **Page 11851**

Additional Cosponsors: **Page 11853**

Statements on Introduced Bills/Resolutions: **Page 11854**

Additional Statements: **Page 11850**

Amendments Submitted: **Page 11866**

Notices of Hearings/Meetings: **Page 11866**

Authority for Committees to Meet: **Page 11867**

Privilege of the Floor: **Page 11867**

Record Votes: Two record votes were taken today. (Total—132) **Pages 11845, 11846**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 6:46 p.m. until 9:30 a.m., on Thursday, June 9, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 11868.)

Committee Meetings

MANUFACTURING COMPETITIVENESS

Committee on Commerce, Science, and Transportation: Subcommittee on Technology, Innovation, and Competitiveness concluded a hearing to examine manufacturing competitiveness in a high-tech era, focusing on current challenges that confront American manufacturers, how manufacturers have responded to these challenges, discuss how recent technological innovations have impacted the manufacturing industry, and explore what government should do to help American manufacturers remain competitive in today's global economy, after receiving testimony from Albert A. Frink, Assistant Secretary of Commerce for Manufacturing and Services of the International Trade Administration; G. Wayne Clough, Georgia Institute of Technology, Atlanta; Sebastian Murray, FPI Thermoplastic Technologies, Morristown, New Jersey; and Thomas R. Howell, Dewey Ballantine, LLP, Washington, D.C.

DISASTER PROTECTION

Committee on Commerce, Science, and Transportation: Subcommittee on Disaster Prevention and Prediction concluded a hearing to examine research and development to protect America's communities from disaster, focusing on National Institute of Standards and Technology recent World Trade Center report, as well as computer security, and chemical, biological, radiological detection standards, National Science Foundation scientific research in areas such as computer security and data mining, and NOAA's work developing atmospheric models to aid in prediction of the transport and dispersion of chemical and biological releases, including the hazards alert system, after receiving testimony from Hratch G. Semerjian, Acting Director, National Institute of Standards and Technology, Technology Administration, and Conrad Lautenbacher, Jr., Under Secretary for Oceans and Atmosphere, National Oceanic and Atmospheric Administration, both of the Department of Commerce; and Arden L. Bement, Jr., Director, National Science Foundation.

BUSINESS MEETING

Committee on Environment and Public Works: Committee ordered favorably reported the following bills:

H.R. 483, to designate a United States courthouse in Brownsville, Texas, as the "Reynaldo G. Garza and Filemon B. Vela United States Courthouse";

S. 260, to authorize the Secretary of the Interior to provide technical and financial assistance to private landowners to restore, enhance, and manage private land to improve fish and wildlife habitats through the Partners for Fish and Wildlife Program, with an amendment;

S. 864, to amend the Atomic Energy Act of 1954 to modify provisions relating to nuclear safety and security, with an amendment in the nature of a substitute;

S. 865, to amend the Atomic Energy Act of 1954 to reauthorize the Price-Anderson provisions, with an amendment in the nature of a substitute;

S. 858, to reauthorize Nuclear Regulatory Commission user fees, with an amendment in the nature of a substitute;

S. 1017, to reauthorize grants for the water resources research and technology institutes established under the Water Resources Research Act of 1984, and;

S. 1140, to designate the State Route 1 Bridge in the State of Delaware as the "Senator William V. Roth, Jr. Bridge".

LAND CONSERVATION TAX POLICY

Committee on Finance: Committee held a hearing to examine proposals to reform the tax code relating to land conservation, focusing on legal requirements for deductions for conservation easements, and governance, accountability, and transparency reforms, receiving testimony from Jonathan Selib, Tax Counsel, and Dean Zerbe, Tax Counsel and Senior Counsel to the Chairman, both of the Committee on Finance; Earl E. Devaney, Inspector General, Department of the Interior; Steven T. Miller, Commissioner, Tax Exempt and Government Entities Division, Internal Revenue Service, Department of the Treasury; Burnet R. Maybank, III, South Carolina Department of Revenue, Columbia; Steven J. McCormick, Nature Conservancy, Arlington, Virginia; Rand Wentworth, Land Trust Alliance, Washington, D.C.; and Timothy Lindstrom, Jackson Hole Land Trust, Jackson, Wyoming.

Hearing recessed subject to the call.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Pamela E. Bridgewater, of Virginia, to be Ambassador to the Republic of Ghana, Donald E. Booth, of Virginia, to be Ambassador to the Republic of Liberia, Terence Patrick McCulley, of Oregon, to be Ambassador to the Republic of Mali, and Roger Dwayne Pierce, of Virginia, to be Ambassador to the Republic of Cape Verde, after the nominees testified and answered questions in their own behalf.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

EMBRYONIC STEM CELL RESEARCH

Special Committee on Aging: Committee concluded a hearing to examine exploring the promise of embryonic stem cell research, focusing on Alzheimer's Disease, Huntington's Disease, diabetes, and Parkinson's Disease, after receiving testimony from Lawrence S. Goldstein, University of California, San Diego School of Medicine; Douglas A. Doerfler, MaxCyte, Inc., Gaithersburg, Maryland, on behalf of the Biotechnology Industry Organization; John D. Gearhart, Johns Hopkins University Department of Medicine Institute for Cell Engineering, Baltimore, Maryland; Su-Chun Zhang, University of Wisconsin-Madison Waisman Mental Retardation Center; and Chris Dudley, Portland, Oregon.

House of Representatives

Chamber Action

Measures Introduced: 36 public bills, H.R. 2791–2826; 1 private bill, H.R. 2827; and 5 resolutions, H. Con. Res. 174–175; and H. Res. 307–309 were introduced. **Page 11977**

Additional Cosponsors: **Page 11979**

Reports Filed: Reports were filed today as follows:

H.R. 481, to further the purposes of the Sand Creek Massacre National Historic Site Establishment Act of 2000, amended (H. Rept. 109–107);

H.R. 774, to adjust the boundary of Rocky Mountain National Park in the State of Colorado (H. Rept. 109–108);

H.R. 853, to remove certain restrictions on the Mammoth Community Water District's ability to use certain property acquired by that District from the United States (H. Rept. 109–109);

H.R. 873, to provide for a nonvoting delegate to the House of Representatives to represent the Commonwealth of the Northern Mariana Islands (H. Rept. 109–110);

H.R. 1084, to authorize the establishment at Antietam National Battlefield of a memorial to the officers and enlisted men of the Fifth, Sixth, and Ninth New Hampshire Volunteer Infantry Regiments and the First New Hampshire Light Artillery Battery who fought in the Battle of Antietam on September 17, 1862 (H. Rept. 109–111);

H.R. 1428, to authorize appropriations for the National Fish and Wildlife Foundation, amended (H. Rept. 109–112);

H.R. 2362, to reauthorize and amend the National Geologic Mapping Act of 1992 (H. Rept. 109–113); and

H.R. 432, to require the Secretary of the Interior to permit continued occupancy and use of certain lands and improvements within Rocky Mountain National Park (H. Rept. 109–114). **Page 11977**

Speaker: Read a letter from the Speaker wherein he appointed Representative Miller of Michigan to act as Speaker pro tempore for today. **Page 11870**

Chaplain: The prayer was offered today by Rev. Nelson Quinones, Pastor, St. John Lutheran Church in Allentown, Pennsylvania. **Page 11870**

Suspensions: The House agreed to suspend the rules and pass the following measure:

Supporting the designation of a week as National Military Families Week: H. Con. Res. 159, amended, recognizing the sacrifices being made by the families of members of the Armed Forces and supporting the designation of a week as National Military Families Week. **Page 11873**

Withdrawing approval of the U.S. from the Agreement establishing the WTO—Rule for Consideration: The House agreed to H. Res. 304, the rule providing for the consideration of H.J. Res. 27, withdrawing the approval of the United States from the Agreement establishing the World Trade Organization, by a voice vote. **Page 11876**

Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act for FY 2006: The House passed H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, by a yea-and-nay vote of 408 yeas to 18 nays, Roll No. 238. **Page 11887**

Agreed by unanimous consent to limit the amendments made in order and the time limit for debate on such amendments. **Page 11932**

Agreed to:

Bonilla amendment that increases funding for the Watershed Rehabilitation Program and Rural Cooperative Development Grants; **Page 11903**

Butterfield amendment that increases funding for Outreach for Socially Disadvantaged Farmers; **Page 11904**

Baca amendment (No. 4 printed in the Congressional Record of June 7), offered by Representative Hinojosa, that increases funding for education grants programs for Hispanic-serving Institutions; **Page 11904**

Bonilla amendment that increases the amount available in section 735 of the bill; **Page 11918**

DeLauro amendment that strikes language in section 757 of the bill; **Page 11918**

Schwarz of Michigan amendment (No. 9 printed in Congressional Record of June 7) that expresses the sense of Congress that the Secretary of Agriculture should use the transfer authority provided by the Plant Protection Act to implement the strategic plan developed by the Animal and Plant Health Inspection Service for the eradication of Emerald Ash Borer in Michigan, Ohio, and Indiana; **Page 11925**

Weiner amendment that increases funding for the salaries and expenses of the Animal and Plant Health Inspection Service (by a recorded vote of 226 ayes to 201 noes, Roll No. 230); **Pages 11905, 11941**

Hinchey amendment that sought to prohibit the use of funds to grant a waiver of financial conflict of interest requirement for any voting member of an advisory committee or panel of the FDA; or to make a certification under title 18, United States Code, for any such voting member (agreed to limit the time for debate on the amendment) (by a recorded vote of 218 ayes to 210 noes, Roll No. 232); **Pages 11924, 11942**

Sweeney amendment that prohibits the use of funds to pay the salaries and expenses of personnel to inspect horses under the Federal Meat Inspection Act or under guidelines issued under the Federal Agriculture Improvement and Reform Act of 1996 (agreed to limit the time for debate on the amendment) (by a recorded vote of 269 ayes to 158 noes, Roll No. 233); and **Pages 11928, 11943**

Brown of Ohio amendment that prohibits the use of funds to purchase chickens under the Richard B. Russell National School Lunch Act or the Child Nutrition Act of 1966, after December 31, 2005, unless the Secretary takes into account whether such purchases are in compliance with the standards of the Richard B. Russell National School Lunch Act. **Page 11951**

Rejected:

Rehberg amendment (No. 8 printed in the Congressional Record of June 7) that sought to strike a provision relating to the delay in country of origin labeling for meat and meat products (agreed to limit the time for debate on the amendment) (by a recorded vote of 187 ayes to 240 noes, Roll No. 231); **Pages 11919, 11941**

Blumenauer amendment (No. 5 printed in the Congressional Record of June 7) that sought to prohibit the use of funds to pay the salaries and expenses of personnel who make loans in excess of 17 cents per pound for raw sugar cane or 21.6 cents per pound for refined beet sugar (by a recorded vote of 146 ayes to 280 noes, Roll No. 234); **Pages 11933, 11943**

Chabot amendment (No. 6 printed in the Congressional Record of June 7) that sought to prohibit the use of funds to carry out section 203 of the Agriculture Trade Act of 1978, or to pay the salaries and expenses of personnel who carry out a market program under such section (by a recorded vote of 66 ayes to 356 noes, Roll No. 235); **Pages 11939, 11944**

Hefley amendment that sought to cut overall spending in the bill by 1 percent (by a recorded vote of 80 ayes to 335 noes, Roll No. 236); and **Pages 11946, 11953**

Kucinich amendment that sought to prohibit the use of funds for the FDA for the approval or process of approval under the Federal Food, Drug, and Cosmetic Act of an application for an animal drug for creating transgenic salmon or any other transgenic fish; **Page 11946**

Garrett of New Jersey amendment that sought to prohibit the use of funds under the heading "Food and Nutrition Service-Food Stamp Program" in contravention of the Immigration and Nationality Act (by a recorded vote of 169 ayes to 258 noes, Roll No. 237). **Pages 11947, 11954**

Withdrawn:

Platts amendment that was offered and subsequently withdrawn that sought to increase funding for the salaries and expenses for the Animal and Plant Health Inspection Service; **Page 11907**

Moran of Kansas amendment that was offered and subsequently withdrawn that sought to add a new section to the bill regarding funding to carry out the Plant Protection Act; and **Page 11918**

Tiahrt amendment that was offered and subsequently withdrawn that sought to prohibit the use of funds to promulgate regulations without consideration of the effect of such regulations on the competitiveness of American businesses. **Page 11950**

Point of Order sustained against:

Provision beginning with the colon on page 54 line 4 through the word "overseas" on line 9; **Page 11914**

Section 749 of the bill; **Page 11918**

Section 760 of the bill: page 81 line 1 through line 7; and beginning with the word "and" on page 81 line 11 through the word "programs" on line 17; **Page 11918**

Hinchey amendment that sought to insert a section at the end of the bill regarding Postmarket Studies; **Page 11924**

Stupak amendment that sought to prohibit the use of funds to keep in effect an exemption for a clinical trial that concerns a serious or life-threatening disease or condition and is not included in the registry of such trials in the Public Health Service Act; and prohibits the use of funds to approve an application under the Federal Food, Drug, and Cosmetic Act that is for a drug for a serious or life-threatening disease or condition and is supported by a clinical trial that has received an exemption under the Act and is not included in the clinical trial registry of the Public Health Service Act; **Page 11945**

Stupak amendment that sought to prohibit the use of funds by the FDA to conduct any investigation of, or take any employment action against, an officer or employee of the FDA pursuant to the officer or employee providing information that concerns the FDA; **Page 11948**

Kucinich amendment that sought to require the Department of Agriculture to test, at the request of a producer or processor, ruminants, ruminant products and byproducts for the presence of bovine spongiform encephalopathy; and prohibit the use of funds to pay the salaries and expenses of personnel of the Department to enforce any regulatory prohibition on such testing; and **Page 11951**

Weiner amendment that sought to allow grants to be made to states for distribution to active agricultural producers. **Page 11952**

H. Res. 303, the rule providing for consideration of the bill was agreed to by voice vote. **Page 11880**

Committee Resignation: Read a letter from Representative Smith of Washington wherein he resigned from the Committee on the Judiciary, effective immediately. **Page 11887**

Committee Election: The House agreed to H. Res. 307 electing Representative Wasserman Schultz to the Committee on the Judiciary and Representative Moore of Kansas to the Committee on Science. **Page 11887**

Mexico-U.S. Interparliamentary Group—Appointment: The Chair announced the Speaker's appointment of the following Members to the Mexico-United States Interparliamentary Group, in addition to Chairman Kolbe and vice-Chairman Harris (FL), appointed on April 14, 2005: Representatives Dreier, Berman, Barton (TX), Manzullo, Weller, Reyes, and McCaul (TX). **Page 11956**

Quorum Calls—Votes: One yea-and-nay vote and eight recorded votes developed during the proceedings of today and appear on pages 11941–45 and 11953–56. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:03 p.m.

Committee Meetings

INTERNATIONAL SOLID WASTE IMPORTATION AND MANAGEMENT ACT OF 2005

Committee on Energy and Commerce: Subcommittee on Environment and Hazardous Materials approved for full Committee action, as amended, H.R. 2491, International Solid Waste Importation and Management Act of 2005.

FOREIGN DEBT ASSISTANCE

Committee on Financial Services: Subcommittee on Domestic and International Monetary Policy, Trade, and Technology held a hearing entitled "Debt and Development: How to Provide Efficient, Effective Assistance to the World's Poorest Countries?" Testimony was heard from public witnesses.

NATION'S ELECTRICITY SYSTEM RELIABILITY

Committee on Government Reform: Subcommittee on Energy and Resources held a hearing entitled "Ensuring the Reliability of the Nation's Electricity System." Testimony was heard from Pat Wood III, Chairman, Federal Energy Regulatory Commission, Department of Energy; and public witnesses.

DOD BUSINESS SYSTEMS MODERNIZATION

Committee on Government Reform: Subcommittee on Government Management, Finance, and Accountability held a hearing entitled "Business Systems Modernization at the Department of Defense." Testimony was heard from Gregory D. Kutz, Director, Financial Management and Assurance, GAO; and the following officials of the Department of Defense: Thomas Modly, Deputy Under Secretary, Financial Management, Office of the Under Secretary of Defense (Comptroller); and Paul A. Brinkley, Special Assistant to the Under Secretary (Acquisition Technology and Logistics) for Business Transformation.

COAST GUARD HOMELAND SECURITY

Committee on Homeland Security: Subcommittee on Economic Security, Infrastructure Protection, and Cybersecurity held a hearing entitled "The Homeland Security Missions of the Post-9/11 Coast Guard." Testimony was heard from ADM Thomas H. Collins, USCG, Commandant, U.S. Coast Guard, Department of Homeland Security.

529 FAIRNESS ACT OF 2005

Committee on House Administration: Ordered reported, as amended, H.R. 1316, 527 Fairness Act of 2005.

HENRY J. HYDE UNITED NATIONS REFORM ACT; FOREIGN RELATIONS AUTHORIZATION ACT

Committee on International Relations: Ordered reported H.R. 2745, Henry J. Hyde United Nations Reform Act of 2005;

Began markup of H.R. 2601, Foreign Relations Authorization Act, Fiscal Years 2006 and 2007.

Will continue tomorrow.

OVERSIGHT—USA PATRIOT ACT AUTHORIZATION

Committee on the Judiciary: Held an oversight hearing on Reauthorization of the USA PATRIOT Act. Testimony was heard from James B. Comey, Deputy Attorney General, Department of Justice.

OVERSIGHT—OCEAN SYSTEMS REVIEW

Committee on Resources: Subcommittee on Fisheries and Oceans held an oversight hearing on the Scientific Review of Ocean Systems. Testimony was heard from Stephen Murawski, Director, Scientific Programs, Chief Science Advisor, National Marine Fisheries Service, NOAA, Department of Commerce; and public witnesses.

BUSINESS ACTIONS REDUCING GREENHOUSE GAS EMISSIONS

Committee on Science: Held a hearing on Business Actions Reducing Greenhouse Gas Emissions. Testimony was heard from public witnesses.

OVERSIGHT—WATER INFRASTRUCTURE PROJECTS

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment held an oversight hearing on Financing Water Infrastructure Projects, Part 1. Testimony was heard from public witnesses.

Hearings continue June 14.

TAX REFORM

Committee on Ways and Means: Held a hearing on Tax Reform. Testimony was heard from public witnesses.

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Thursday, June 9, 2005

Senate

Chamber Action

Routine Proceedings, pages 12065–12171

Measures Introduced: Twenty bills and four resolutions were introduced, as follows: S. 10, S. 1206–1224, S. Res. 165–167, and S. Con. Res. 41. **Page 12122**

Measures Reported:

Special Report entitled "Allocation to Subcommittees of Budget Totals". (S. Rept. No. 109–77)

H.R. 483, to designate a United States courthouse in Brownsville, Texas, as the "Reynaldo G. Garza and Filemon B. Vela United States Courthouse".

S. 10, to enhance the energy security of the United States. (S. Rept. No. 109–78)

Special Report entitled "Legislative and Oversight Activities During the 108th Congress by the Senate Committee on Veterans' Affairs". (S. Rept. No. 109–79)

S. 1140, to designate the State Route 1 Bridge in the State of Delaware as the "Senator William V. Roth, Jr. Bridge". **Page 12122**

Measures Passed:

Printing Authority: Senate agreed to S. Res. 166, to authorize the printing of a collection of the rules of the Committees of the Senate. **Page 12166**

Recognizing Sun Safety: Senate agreed to S. Res. 167, recognizing the importance of sun safety. **Page 12167**

Recognizing Armed Forces' Families: Senate agreed to H. Con. Res. 159, recognizing the sacrifices being made by the families of members of the Armed Forces and supporting the designation of a week as National Military Families Week. **Page 12168**

Nomination—Agreement: Pursuant to the order of May 24, 2005, at 2:30 p.m., on Monday, June 13, 2005, Senate will proceed to the consideration of the nomination of Thomas B. Griffith, of Utah, to be United States Circuit Judge for the District of Columbia, with a vote on confirmation of the nomination to occur at 10 a.m., on Tuesday, June 14, 2005. **Pages 12115, 12167**

Energy Bill—Agreement: A unanimous-consent agreement was reached providing for consideration of H.R. 6, to ensure jobs for our future with secure, affordable, and reliable energy, on Tuesday, June 14, 2005, following the vote on the nomination of Thomas B. Griffith (listed above); provided further, that the Chairman be recognized in order to offer the Senate reported bill as a substitute amendment, the amendment be agreed to and considered as original text for the purpose of further amendment. **Page 12115**

Anti-Lynching Resolution—Agreement: A unanimous-consent-time agreement was reached providing that at 6:30 p.m., on Monday, June 13, 2005, the Committee on the Judiciary be discharged from further consideration of S. Res. 39, apologizing to the victims of lynching and the descendants of those victims for the failure of the Senate to enact anti-lynching legislation; that there be 3 hours of debate equally divided, and that upon the use or yielding back of time, Senate proceed to a vote on adoption of the resolution. **Page 12115**

Rules—Agreement: A unanimous-consent agreement was reached providing that the Committee on Rules and Administration be directed to prepare a revised edition of the Standing Rules of the Senate and they be printed as a Senate document. **Page 12166**

Nominations Confirmed: Senate confirmed the following nominations:

By 53 yeas 45 nays (Vote No. EX. 133), William H. Pryor, Jr., of Alabama, to be United States Circuit Judge for the Eleventh Circuit. **Pages 12067, 12171**

By unanimous vote of 95 yeas (Vote No. EX. 134) Richard A. Griffin, of Michigan, to be United States Circuit Judge for the Sixth Circuit. **Pages 12107, 12171**

By unanimous vote of 96 yeas (Vote No. EX. 135) David W. McKeague, of Michigan, to be United States Circuit Judge for the Sixth Circuit. **Pages 12107, 12171**

Nominations Received: Senate received the following nominations:

Henry Crumpton, of Virginia, to be Coordinator for Counterterrorism, with the rank and status of Ambassador at Large.

Ronald Spogli, of California, to be Ambassador to the Italian Republic.

Robert H. Tuttle, of California, to be Ambassador to the United Kingdom of Great Britain and Northern Ireland.

Benjamin A. Powell, of Florida, to be General Counsel of the Office of the Director of National Intelligence.

Routine lists in the Air Force, Army, Marine Corps. **Page 12170**

Messages From the House: **Page 12121**

Measures Referred: **Page 12121**

Measures Placed on Calendar: **Page 12121**

Executive Communications: **Page 12121**

Executive Reports of Committees: **Page 12122**

Additional Cosponsors: **Page 12123**

Statements on Introduced Bills/Resolutions: **Page 12125**

Additional Statements: **Page 12120**

Authority for Committees to Meet: **Page 12166**

Privilege of the Floor: **Page 12166**

Record Votes: Three record votes were taken today. (Total—135) **Pages 12107, 12115**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 6:27 p.m. until 2 p.m., on Monday, June 13, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 12168.)

Committee Meetings

NOMINATIONS

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine the nominations of Walter Lukken, of Indiana, to be a Commissioner of the Commodity Futures Trading Commission, and Reuben Jeffery III, of the District of Columbia, to be a Commissioner and Chairman of the Commodity Futures Trading Commission, after the nominees, who were both introduced by Senator Lugar, testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on Appropriations: Committee ordered favorably reported H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, with an amendment in the nature of a substitute.

Also, completed its review of 302(b) subcommittee allocations of budget outlays and new budget authority allocated to the committee in H. Con. Res. 95, establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010.

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported the following business items:

S. 582, to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the desegregation of the Little Rock Central High School in Little Rock, Arkansas, with an amendment in the nature of a substitute; and

The nominations of Ben S. Bernanke, of New Jersey, to be a Member of the Council of Economic Advisers, and Brian D. Montgomery, of Texas, to be Assistant Secretary of Housing and Urban Development, and Federal Housing Commissioner.

GENERAL AVIATION SECURITY

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine general aviation (GA) security, the Transportation Security Administration's proposed plan to reopen Ronald Reagan Washington National Airport to GA operations, and the security procedures followed during the recent air incursion that caused the emergency evacuation of the White House and the U.S. Capitol buildings, after receiving testimony from Michael A. Cirillo, Vice President, System Operations Services, Air Traffic Organization, Federal Aviation Administration, Department of Transportation; Jonathan Fleming, Chief Operating Officer, Transportation Security Administration, Department of Homeland Security; Ed Bolen, National Business Aviation Association, Washington, D.C.; James K. Coyne, National Air Transportation Association, Alexandria, Virginia; and Andrew V. Cebula, Aircraft Owners and Pilots Association, Frederick, Maryland.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Richard J. Griffin, of Virginia, to be Director of the Office of Foreign Missions, and to have the rank of Ambassador, and to be an Assistant Secretary of State for Diplomatic Security, and Henrietta Holsman Fore, of Nevada, to be Under Secretary of State for Management, who was introduced by Senator Hutchison, after the nominees testified and answered questions in their own behalf.

CROSS-BORDER TRAVEL

Committee on Foreign Relations: Subcommittee on Western Hemisphere, Peace Corps and Narcotics Affairs concluded a hearing to examine the Western Hemisphere Travel Initiative (WHTI), focusing on plans to augment United States border security and facilitate international travel by establishing new documentary standards, and regarding safety and convenience in cross-border travel, after receiving testimony from Frank E. Moss, Deputy Assistant Secretary of State for Consular Affairs; Elaine Dezenski, Acting Assistant Secretary of Homeland Security for Policy and Planning, Border and Transportation Directorate; Paul M. Ruden, American Society of Travel Agents, Inc., Alexandria, Virginia; and Robert A. Pastor, American University Center for North American Studies, Washington, D.C.

PENSION PLAN FRAUD

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine protecting America's pensions plans from fraud, focusing on the Department of Labor's Employee Benefits Security Administration's enforcement strategy, efforts to address weakness in its enforcement program along with the challenges that remain, after receiving testimony from Alan D. Lebowitz, Deputy Assistant Secretary of Labor for the Employee Benefit Security Administration; Barbara D. Bovbjerg, Director, Education, Workforce, and Income Security Issues, Government Accountability Office; John Endicott, Local Union 290 Plumbers, Steamfitters and Marine Fitters, Tualatin, Oregon; Barclay Grayson, BDC Advisors, LLC, and Stephen F. English, Bullivant Houser Bailey, PC, both of Portland, Oregon; and James S. Ray, Law Offices of James S. Ray, Alexandria, Virginia.

BIOSHIELD

Committee on Health, Education, Labor, and Pensions: Subcommittee on Bioterrorism and Public Health Preparedness concluded a hearing to examine promising medical countermeasures to bioshield, focusing on the Project BioShield Act of 2004, and the Administration's priority to have an appropriate armamentarium of medical countermeasures as a critical aspect of the response and recovery component of the President's strategy "Biodefense for the 21st Century", after receiving testimony from John Vitko, Jr., Director, Biological Countermeasures Portfolio, Science and Technology Directorate, Department of Homeland Security; William F. Raub, Deputy Assistant Secretary for Public Health Emergency Preparedness, and Carol Heilman, Director, Infectious Diseases, National Institute of Allergy and Infectious Diseases, National Institutes of Health, both of the Department of Health and Human Services; Colonel Joseph Palma, Medical Director, Office of the Deputy Assistant to the Secretary of Defense, Chemical and Biological Defense, Department of Defense; Alan P. Timmins, AVI BioPharma, Inc., Portland, Oregon; Richard Frothingham, Duke University Medical Center and Veterans Affairs Medical Center, Durham, North Carolina; David P. Wright, PharmAthene, Inc., Annapolis, Maryland; Scott Magids, University of Maryland Technology Advancement Program, College Park; and Philip K. Russell, Potomac, Maryland.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported S. 1181, to ensure an open and deliberate process in Congress by providing that any future legislation to establish a new exemption to section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act) be stated explicitly within the text of the bill.

VETERANS' HEALTHCARE

Committee on Veterans' Affairs: Committee concluded a hearing to examine S. 1182, to amend title 38, United States Code, to improve health care for veterans, S. 481, to amend title 38, United States Code, to extend the period of eligibility for health care for combat service in the Persian Gulf War or future hostilities from two years to five years after discharge or release, S. 716, to amend title 38, United States Code, to enhance services provided by vet centers, to clarify and improve the provision of bereavement counseling by the Department of Veterans Affairs, S. 1176, to improve the provision of health care and services to veterans in Hawaii, S. 1177, to improve mental health services at all facilities of the Department of Veterans Affairs, S. 614, to amend title 38, United States Code, to permit Medicare-eligible veterans to receive an out-patient medication benefit, to provide that certain veterans who receive such benefit are not otherwise eligible for medical care and services from the Department of Veterans Affairs, S. 1180, to amend title 38, United States Code, to reauthorize various programs servicing the needs of homeless veterans for fiscal years 2007 through 2011, S. 1189, to require the Secretary of Veterans Affairs to publish a strategic plan for long-term care, S. 1190, to provide sufficient blind rehabilitation outpatient specialists at medical centers of the Department of Veterans Affairs, and S. 1191, to establish a grant program to provide innovative transportation options to veterans in remote rural areas, after receiving testimony from R. James Nicholson, Secretary of Veterans Affairs; Donald Mooney, The American Legion, Dennis M. Cullinan, Veterans of Foreign Wars of the United States, Adrian Atizado, Disabled American Veterans, and Carl Blake, Paralyzed Veterans of America, all of Washington, D.C.; and Richard Jones, AMVETS, Lanham, Maryland.

House of Representatives

Chamber Action

Measures Introduced: 34 public bills, H.R. 2828–2861; and 5 resolutions, H.J. Res. 53; H. Con. Res. 176; and H. Res. 310–312, were introduced. **Page 12062**

Additional Cosponsors: **Page 12063**

Reports Filed: Reports were filed today as follows:

H.R. 184, to amend the Controlled Substances Import and Export Act to provide authority to the Attorney General to authorize any controlled substance that is in schedule I or II or is a narcotic drug in schedule III or IV to be exported from the United States to a country for subsequent export from that country to another country, if certain conditions are met, amended (H. Rept. 109–115, Pt. 1);

H.R. 869, to amend the Controlled Substances Act to lift the patient limitation on prescribing drug addiction treatments by medical practitioners in group practices (H. Rept. 109–116, Pt. 1); and

H.R. 517, to reauthorize the Secure Rural Schools and Community Self-Determination Act of 2000 (H. Rept. 109–117, Pt. 1). **Page 12062**

Withdrawing approval of the U.S. from the Agreement establishing the WTO: The House failed to pass H.J. Res. 27, withdrawing the approval of the United States from the Agreement establishing the World Trade Organization, by a yea-and-nay vote of 86 yeas to 338 nays, with one voting "present", Roll No. 239. **Page 12008**

H. Res. 304, the rule providing for consideration of the measure was agreed to yesterday, June 8.

Privileged Resolution: The House agreed to table H. Res. 310, relating to a question of the privileges of the House, by a recorded vote of 219 ayes to 199 noes, Roll No. 240. **Page 12025**

Late Reports: Agreed that the Committee on Appropriations have until midnight on June 10 to file a report on a bill making appropriations for the Department of Defense for FY 2006, and a report on a bill making appropriations for Science and the Departments of State, Justice, and Commerce, and Related Agencies for FY 2006. **Page 12026**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday, June 13 for Morning Hour debate. **Page 12028**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, June 15. **Page 12028**

Expressing the importance of reopening of the Beartooth All-American Highway: The House agreed to H. Res. 309, expressing the importance of immediately reopening the famous Beartooth All-American Highway from Red Lodge, Montana, to Yellowstone National Park in Wyoming. **Page 12028**

Quorum Calls—Votes: One yea-and-nay vote and one recorded vote developed during the proceedings of today and appear on pages 12024–26. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 6 p.m.

Committee Meetings

DEPARTMENT OF LABOR, HHS, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS FISCAL YEAR 2006

Committee on Appropriations: Subcommittee on the Department of Labor, Health and Human Services, Education, and Related Agencies approved for full Committee action the Department of Labor, Health and Human Services, Education, and Relations Agencies appropriations for Fiscal Year 2006.

PBGC'S UNFUNDED PENSION LIABILITIES

Committee on the Budget: Held a hearing on PBGC's Unfunded Pension Liabilities: Will Taxpayers Have To Pay The Bill? Testimony was heard from David M. Walker, Comptroller General, GAO; and Douglas J. Holtz-Eakin, Director, CBO.

HIGH SCHOOL REFORM EFFORTS—NON-PROFIT ORGANIZATIONS ROLE

Committee on Education and the Workforce: Subcommittee on Education Reform held a hearing entitled "The Role of Non-Profit Organizations in State and Local High School Reform Efforts." Testimony was heard from public witnesses.

U.S.-CHINA TRADE

Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protection held a hearing entitled "Issues before the U.S.-China Joint Commission on Commerce and Trade." Testimony was heard from Jon W. Dudas, Under Secretary, Intellectual Property and Director, Patent and Trademark Office, Department of Commerce.

PATIENT SAFETY AND QUALITY INITIATIVES

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled "Patient Safety and Quality Initiatives." Testimony was heard from Carolyn M. Clancy, M.D., Director, Agency for Healthcare Research and Quality, Department of Health and Human Services; and public witnesses.

FINANCIAL SERVICES REGULATORY RELIEF

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled "Financial Services Regulatory Relief: The Regulators' Views." Testimony was heard from John M. Reich, Vice-Chairman, FDIC; Donald L. Kohn, member, Board of Governors, Federal Reserve System; the following officials of the Department of the Treasury: Julie L. Williams, Acting Comptroller, Office of the Comptroller of the Currency; and Richard M. Riccobono, Acting Director, Office of Thrift Supervision; JoAnn Johnson, Chairman, National Credit Union Administration; and public witnesses.

HOMELAND SECURITY DEPARTMENT MISSIONS EFFECTIVENESS

Committee on Government Reform: Held a hearing entitled "Assessing the Department of Homeland Security's Mission Effectiveness: Is it Enough to Meet the Terrorist Threat?" Testimony was heard from Michael Chertoff, Secretary of Homeland Security.

REGISTERED TRAVELER IMPLEMENTATION

Committee on Homeland Security: Subcommittee on Economic Security, Infrastructure Protection, and Cybersecurity held a hearing entitled "The Promise of Registered Traveler." Testimony was heard from Bridgette Goersch, Director of Security, Greater Orlando Airport Authority, Orlando International Airport, Florida; and public witnesses.

HOUSE EMERGENCY PREPAREDNESS

Committee on House Administration: Held a hearing on the Emergency Preparedness of the House and the Evacuation of May 11, 2005. Testimony was heard from the following officials of the House: Wilson Livingood, Sergeant at Arms; and James M. Eagen III, Chief Administrative Officer; Chief Terrance Gainer, U.S. Capitol Police; and public witnesses.

FOREIGN RELATIONS AUTHORIZATION ACT; RESOLUTION—MASSACRE AT SREBRENICA

Committee on International Relations: Ordered reported, as amended, H.R. 2601, Foreign Relations Authorization Act, Fiscal Years 2006 and 2007.

The Committee also approved a motion urging the Chairman to request that the following measure be placed on the Suspension Calendar: H. Res. 199, amended, Expressing the sense of the House of Representatives regarding the massacre at Srebrenica in July 1995.

PROLIFERATION SECURITY INITIATIVE

Committee on International Relations: Subcommittee on International Terrorism and Nonproliferation held a hearing entitled "Proliferation Security Initiative: An Early Assessment." Testimony was heard from Stephen G. Rademaker, Assistant Secretary, Bureau of Arms Control, Department of State.

PATENT ACT OF 2005

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property held a hearing on H.R. 2795, Patent Act of 2005. Testimony was heard from public witnesses.

CHILD PROTECTION MEASURES

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held a hearing on the following: H.R. 764, To require the Attorney General to establish a Federal register of cases of child abuse or neglect; H.R. 95, Dru Sjodin National Sex Offender Public Database Act of 2005; H.R. 1355, Child Predator's Act of 2005; H.R. 1505, Jessica Lunsford Act; H.R. 2423, Sex Offender Registration and Notification Act; H.R. 244, Save Our Children: Stop the Violent Predators Against Children DNA Act of 2005; H.R. 2796, DNA Fingerprinting Act of 2005, and H.R. 2797, Aime Zyla Act of 2005. Testimony was heard from Representatives Foley, Poe, Ginny Brown-Waite of Florida, and Pomeroy.

OVERSIGHT—CHILD PROTECTION

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held an oversight hearing on "Protecting our Nation's Children from Sexual Predators and Violent Criminals: What Needs to Be Done?" Testimony was heard from Tracy Henke, Acting Assistant Attorney General, Office of Justice Programs, Department of Justice; and public witnesses.

OVERSIGHT—U.S. OLYMPIC OPERATIONS

Committee on the Judiciary: Subcommittee on Immigration, Border Security, and Claims held an oversight hearing on "The Olympic Family—Functional or Dysfunctional?" Testimony was heard from Jim Scherr, Chief Executive Officer, U.S. Olympic Committee; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on National Parks held a hearing on the following bills: H.R. 562, To authorize the Government of Ukraine to establish a memorial on Federal land in the District of Columbia to honor the victims of the manmade famine that occurred in Ukraine in 1932–1933; H.R. 1096, To establish the Thomas Edison National Park in the State of New Jersey as the successor to the Thomas Edison Historic Site; and

H.R. 1515, To adjust the boundary of the Barataria Preserve Unit of the Jean Lafitte National Historic Park and Preserve in the State of Louisiana. Testimony was heard from Representatives Levin, Garrett, Payne and Pascrell; Joseph Lawler, Regional Director, National Capital Region, National Park Service, Department of the Interior; and public witnesses.

AMTRAK FOOD AND BEVERAGE OPERATIONS

Committee on Transportation and Infrastructure: Subcommittee on Railroads held an oversight hearing on Amtrak Food and Beverage Operations. Testimony was heard from JayEtta Z. Hecker, Director, Physical Infrastructure Issues, GAO; the following officials of Amtrak: David L. Gunn, President; and Fred E. Weiderhold, Jr., Inspector General; and public witnesses.

VETERANS' COMPENSATION COST-OF-LIVING ADJUSTMENT ACT OF 2005

Committee on Veterans' Affairs: Subcommittee on Disability Assistance and Memorial Affairs approved for full Committee action H.R. 1220, Veterans' Compensation Cost-of-Living Adjustment Act of 2005.

FEDERAL FOSTER CARE FINANCING

Committee on Ways and Means: Subcommittee on Human Resources held a hearing on Federal Foster Care Financing. Testimony was heard from Wade F. Horn, Assistant Secretary, Children and Families, Department of Health and Human Services; Don Winstead, Deputy Secretary, Department of Children and Families, State of Florida; and public witnesses.

SOCIAL SECURITY—PROTECTING AND STRENGTHENING

Committee on Ways and Means: Subcommittee on Social Security continued hearings on Protecting and Strengthening Social Security. Testimony was heard from Barbara D. Bovbjerg, Director, Education, Workforce, and Income Security, GAO; Frederick G. Streckewald, Assistant Deputy Commissioner, Disability and Income Security Programs, SSA; Nan Grogan Orrock, Representative, General Assembly, State of Georgia; and public witnesses.

Hearings continue June 14.

Joint Meetings

ECONOMIC OUTLOOK

Joint Economic Committee: Committee concluded hearings to examine the current economic outlook, after receiving testimony from Alan Greenspan, Chairman, Board of Governors of the Federal Reserve System.

IRAN CRISIS

Commission on Security and Cooperation in Europe (Helsinki Commission): Commission concluded a hearing to examine the human rights situation in Iran and the prospects for a U.S.-European response, after receiving testimony from Goli Ameri, U.S. Public Delegate to the United Nations Human Rights Commission; Jeff Gedmin, Aspen Institute Berlin, Berlin, Germany; Tom Melia, Freedom House, Washington, D.C.; Manda Zand Ervin, Alliance of Iranian Women; Karim Lahidji, International Federation of Human Rights, France.

TRANSPORTATION EQUITY ACT

Conferees met to resolve the differences between the Senate and House passed versions of H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, but did not complete action thereon, and recessed subject to call.

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Monday, June 13, 2005

Senate

Chamber Action

Routine Proceedings, pages 12244–12326

Measures Introduced: Five bills and three resolutions were introduced, as follows: S. 1225–1229, and S. Res. 168–170. **Page 12303**

Measures Reported:

Reported on Friday, June 10, during the adjournment:

H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, with an amendment in the nature of a substitute. (S. Rept. No. 109–80)

Reported today:

Special Report entitled "History, Jurisdiction, and a Summary of Activities of the Committee on Energy and Natural Resources During the 108th Congress". (S. Rept. No. 109–81)

S. 1181, to ensure an open and deliberate process in Congress by providing that any future legislation to establish a new exemption to section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act) be stated explicitly within the text of the bill. **Page 12303**

Measures Passed:

Honoring Jesse R. Nichols: Senate agreed to S. Res. 168, expressing gratitude and sincere respect for Jesse R. Nichols. **Page 12246**

Anti-Lynching Resolution: Committee on the Judiciary was discharged from further consideration of S. Res. 39, apologizing to the victims of lynching and the descendants of those victims for the failure of the Senate to enact anti-lynching legislation, and the resolution was then agreed to. **Page 12262**

Relative to the Death of Former Senator Exon: Senate agreed to S. Res. 170, relative to the death of J. James Exon, former United States Senator for the State of Nebraska. **Pages 12319, 12323**

Nomination: Senate began consideration of the nomination of Thomas B. Griffith, of Utah, to be United States Circuit Judge for the District of Columbia Circuit. **Page 12247**

A unanimous-consent agreement was reached providing for further consideration of the nomination at 9:45 a.m., on Tuesday, June 14, 2005, with a vote on confirmation of the nomination to occur at 10 a.m. **Page 12324**

Nominations Confirmed: Senate confirmed the following nomination:

Brian D. Montgomery, of Texas, to be an Assistant Secretary of Housing and Urban Development. **Page 12324**

Executive Communications: **Page 12301**

Additional Cosponsors: **Page 12304**

Statements on Introduced Bills/Resolutions: **Page 12306**

Additional Statements: **Page 12300**

Amendments Submitted: **Page 12319**

Notices of Hearings/Meetings: **Page 12323**

Privilege of the Floor: **Page 12323**

Adjournment: Senate convened at 2 p.m., and as a further mark of respect to the memory of the late Honorable J. James Exon, former United States Senator for the State of Nebraska, in accordance with S. Res. 170, adjourned at 8:19 p.m., until 9:45 a.m., on Tuesday, June 14, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 12324.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Measures Introduced: 10 public bills, H.R. 28644–2873; and 1 resolution, H. Res. 313 were introduced. **Page 12240**

Additional Cosponsors: **Page 12240**

Reports Filed: Reports were filed today as follows:

Filed on Friday, June 10: H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006 (H. Rept. 109–118);

Filed on Friday, June 10: H.R. 2863, making appropriations for the Department of Defense for the fiscal year ending September 30, 2006 (H. Rept. 109–119);

Filed on Friday, June 10: H.R. 2745, to reform the United Nations, amended (H. Rept. 109–120);

H. Con. Res. 152, commemorating Mystic Seaport: the Museum of America and the Sea in recognition of its 75th year, amended (H. Rept. 109–121); and

H. Res. 314, providing for consideration of H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006 (H. Rept. 109–122). **Page 12240**

Speaker: Read a letter from the Speaker wherein he appointed Representative Lungren to act as speaker pro tempore for today. **Page 12194**

Recess: The House recessed at 12:36 p.m. and reconvened at 2 p.m. **Page 12194**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Patient Navigator Outreach and Chronic Disease Prevention Act of 2005: H.R. 1812, amended, to amend the Public Health Service Act to authorize a demonstration grant program to provide patient navigator services to reduce barriers and improve health care outcomes; **Page 12195**

Amending the Agricultural Credit Act of 1987 to reauthorize State mediation programs: S. 643, to amend the Agricultural Credit Act of 1987 to reauthorize State mediation programs, by a ⅔ yea-and-nay vote of 371 yeas to 2 nays, Roll No. 241—clearing the measure for the President; **Pages 12200, 12210**

Commending the establishment in College Point, New York, of the first kindergarten in the United States: H. Con. Res. 47, amended, commending the establishment in College Point, New York, of the first kindergarten in the United States; **Page 12201**

Agreed to amend the title so as to read: commending the establishment in College Point, New York, of the first free, public kindergarten in the United States. **Page 12203**

Honoring the Sigma Chi Fraternity on the occasion of its 150th Anniversary: H. Con. Res. 163, amended, honoring the Sigma Chi Fraternity on the occasion of its 150th Anniversary; **Page 12203**

Floyd Lupton Post Office Building Designation Act: H.R. 2326, to designate the facility of the United States Postal Service located at 614 West Old County Road in Belhaven, North Carolina, as the "Floyd Lupton Post Office", by a ⅔ yea-and-nay vote of 370 yeas with none voting "nay", Roll No. 242; and **Pages 12205, 12210**

Net Worth Amendment For Credit Unions Act: H.R. 1042, to amend the Federal Credit Union Act to clarify the definition of net worth under certain circumstances for purposes of the prompt corrective action authority of the National Credit Union Administration Board. **Page 12206**

Recess: The House recessed at 3:14 p.m. and reconvened at 6:30 p.m. **Page 12209**

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages 12210–11. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 10:21 p.m.

Committee Meetings

OVERSIGHT—USA PATRIOT ACT AUTHORIZATION

Committee on the Judiciary: On June 10th, the Committee continued oversight hearings on Reauthorization of the USA PATRIOT Act. Testimony was heard from public witnesses.

DEPARTMENT OF DEFENSE APPROPRIATIONS, FY 2006

Committee on Rules: Heard testimony from Representatives Frelinghuysen, Murtha, Obey and Manzullo but action was deferred on H.R. 2863, making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, and for other purposes.

SCIENCE, STATE, JUSTICE, COMMERCE AND RELATED AGENCIES APPROPRIATIONS, FY 2006

Committee on Rules: Granted, by voice vote, an open rule providing one hour of general debate on H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2005, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. Under the rules of the House the bill shall be read for amendment by paragraph. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill), except as specified in the resolution. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Wolf, Mollohan and Obey.

Tuesday, June 14, 2005

Senate

Chamber Action

Routine Proceedings, pages 12327–12503

Measures Introduced: Nineteen bills and one resolution were introduced, as follows: S. 1230–1248, and S. Res. 171. **Page 12383**

Measures Reported:

S. 1230, to amend the Internal Revenue Code of 1986 to provide for the extension of the Highway Trust Fund and the Aquatic Resources Trust Fund expenditure authority and related taxes and to provide for excise tax reform and simplification. (S. Rept. No. 109–82) **Page 12383**

Measures Passed:

Honoring Robert M. La Follette: Committee on the Judiciary was discharged from further consideration of S. Res. 161, honoring the life of Robert M. La Follette, Sr., on the sesquicentennial of his birth, and the resolution was then agreed to. **Page 12494**

Energy Policy Act: Senate began consideration of H.R. 6, to ensure jobs for our future with secure, affordable, and reliable energy, taking action on the following amendments proposed thereto: **Pages 12339, 12346**

Adopted:

Domenici Amendment No. 775, in the nature of a substitute. (Amendment, as agreed to, will be considered original text for the purpose of further amendment.) **Page 12347**

Rejected:

Boxer Amendment No. 781 (to Amendment No. 779), to ensure that ethanol is treated like all other motor vehicle fuels and that taxpayers and local governments do not have to pay for environmental damage caused by ethanol. (By 59 yeas to 38 nays (Vote No. 137), Senate tabled the amendment.) **Page 12361**

Pending:

Domenici Amendment No. 779 (to Amendment No. 775), to eliminate methyl tertiary butyl ether from the United States fuel supply, to increase production and use of renewable fuel, and to increase the Nation's energy independence. **Page 12347**

Schumer Amendment No. 782 (to Amendment No. 779), to strike the reliable fuels subtitle of the amendment. **Page 12364**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Wednesday, June 15, 2005. **Page 12494**

Appointments:

Commission on Security and Cooperation in Europe (Helsinki): The Chair, on behalf of the Vice President, pursuant to Public Law 94–304, as amended by Public Law 99–7, appointed the following Senators as members of the Commission on Security and Cooperation in Europe (Helsinki) during the 109th Congress: Senators Smith, Chambliss, Burr, and Vitter. **Page 12494**

Nominations Confirmed: Senate confirmed the following nomination:

By 73 yeas, 24 nays (Vote No. EX. 136), Thomas B. Griffith, of Utah, to be United States Circuit Judge for the District of Columbia Circuit. **Pages 12327, 12503**

Nominations Received: Senate received the following nominations:

Thomas Craig Wheeler, of Maryland, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

Margaret Mary Sweeney, of Virginia, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

2 Air Force nominations in the rank of general.

4 Army nominations in the rank of general.

1 Marine Corps nomination in the rank of general.

Routine lists in the Navy. **Page 12501**

Messages From the House: **Page 12382**

Measures Referred: **Page 12382**

Executive Communications: **Page 12382**

Additional Cosponsors: **Page 12383**

Statements on Introduced Bills/Resolutions: **Page 12385**

Additional Statements: **Page 12377**

Amendments Submitted: **Page 12398**

Notices of Hearings/Meetings: **Page 12493**

Authority for Committees to Meet: **Page 12493**

Privilege of the Floor: **Page 12494**

Record Votes: Two record votes were taken today. (Total—137) **Pages 12338, 12364**

Adjournment: Senate convened at 9:44 a.m., and adjourned at 7:19 p.m. until 9:30 a.m., on Wednesday, June 15, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 12494.)

Committee Meetings

AGRICULTURE AND FOOD BIOTECHNOLOGY

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine the benefits and future developments in agriculture and food biotechnology, focusing on crossbreeding, hybridization, and bioengineering, legal and regulatory background, and the interagency Agricultural Biotechnology Working Group, after receiving testimony from Chuck Lambert, Deputy Under Secretary of Agriculture for Marketing and Regulatory Programs; Clifford Gabriel, Director, Office of Science Coordination and Policy, Office of Prevention, Pesticides, and Toxic Substances, Environmental Protection Agency; Robert E. Brackett, Director, Center for Food Safety and Applied Nutrition, Food and Drug Administration, Department of Health and Human Services; Jim Greenwood, Biotechnology Industry Organization, Washington, D.C.; Ron Heck, American Soybean Association, Perry, Iowa; and Kenneth M. Quinn, World Food Prize Foundation, Des Moines, Iowa.

APPROPRIATIONS: DEPARTMENT OF HOMELAND SECURITY

Committee on Appropriations: Subcommittee on Homeland Security approved for full Committee consideration H.R. 2360, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006, with an amendment in the nature of a substitute.

APPROPRIATIONS: ENERGY AND WATER DEVELOPMENT

Committee on Appropriations: Subcommittee on Energy and Water, and Related Agencies approved for full Committee consideration H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006, with an amendment in the nature of a substitute.

CAPITOL VISITOR CENTER

Committee on Appropriations: Subcommittee on Legislative Branch resumed a hearing to examine the progress of the Capitol Visitor Center construction, receiving testimony from Alan Hantman, Architect of the Capitol; and Bernard Ungar, Director, and Terrell Dorn, Assistant Director, both of Physical Infrastructure, Government Accountability Office.

Hearing will continue on Thursday, July 14.

SOCIAL SECURITY REFORM

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Securities and Investment concluded a hearing to examine the role of financial markets in social security reform, focusing on the Federal Thrift Savings Plan, personal retirement savings accounts, and retirement plan administrative costs, after receiving testimony from Gary A. Amelio, Executive Director, Federal Retirement Thrift Investment Board; Francis Enderle, Barclays Global Investors, San Francisco, California; Francis X. Cavanaugh, Public Finance Consulting, Chevy Chase, Maryland; Michael Tanner, CATO Institute, and David C. John, The Heritage Foundation, both of Washington, D.C.; and Jason Furman, New York University Wagner Graduate School of Public Service, New York, New York.

BUSINESS MEETING

Committee on Finance: Committee met and approved recommendations on proposed legislation implementing the United States-Central America-Dominican Republic Free Trade Agreement.

NORTH KOREA

Committee on Foreign Relations: Committee concluded a hearing to examine the status of the Six-Party Talks in Beijing, and matters related to the resolution of the North Korean nuclear crisis, after receiving testimony from Christopher R. Hill, Assistant Secretary for East Asian and Pacific Affairs, and Joseph R. DeTrani, Special Envoy, Six-Party Talks, both of the Department of State.

TARGETING ORGANIZED PIRACY

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia held a hearing to examine the Strategy Targeting Organized Piracy (STOP!) initiative, established to stop trade in pirated and counterfeit goods, focusing on activities undertaken by STOP! to date, its effectiveness in coordinating Federal government efforts to combat intellectual property theft at home and abroad, and the Federal government's ability to recruit, train and retain the workforce necessary to implement STOP!, including the Administration's long-term strategic plan for STOP! and ways the initiative assists small business protect its intellectual property rights, receiving testimony from Jon W. Dudas, Under Secretary of Commerce for Intellectual Property, and Director, United States Patent and Trademark Office; Victoria Espinel, Acting Assistant U.S. Trade Representative for Intellectual Property; Daniel Baldwin, Acting Assistant Commissioner, U.S. Customs and Border Protection, Department of Homeland Security; Laura H. Parsky, Deputy Assistant Attorney General, Criminal Division, Department of Justice; Loren Yager, Director, International Affairs and Trade, Government Accountability Office; Brad Huther, United States Chamber of Commerce, and Franklin J. Vargo, National Association of Manufacturers, both of Washington, D.C.; and Jeffrey O. Evans, The Will-Burt Company, Orrville, Ohio.

Hearing recessed subject to call.

FEDERAL BUDGETING

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, and International Security concluded a hearing to examine accountability and results in Federal budgeting, focusing on the specific metrics and tools used by the Office of Management and Budget to determine the effectiveness of Federal programs, the advantages and disadvantages of using these metrics, and how information provided by these metrics is being used to increase effectiveness and accountability in Federal budgeting, after receiving testimony from David M. Walker, Comptroller General of the United States, Government Accountability Office; Clay Johnson, III, Deputy Director for Management, Office of Management and Budget; Eileen Norcross, George Mason University Mercatus Center, Fairfax, Virginia; and Beryl A. Radin, University of Baltimore, Baltimore, Maryland.

PATENT LAW REFORM

Committee on the Judiciary: Subcommittee on Intellectual Property concluded a hearing to examine injunctions and damages relating to patent law reform, focusing on prior user rights, the first-inventor-to-file system, and a life sciences perspective on patents, after receiving testimony from Carl E. Gulbrandsen, Wisconsin Alumni Research Foundation, Madison; Jonathan Band, on behalf of Visa U.S.A. and The Financial Services Roundtable, and Jeffrey P. Kushan, Sidley Austin Brown and Wood, LLP, both of Washington, D.C.; Mark A. Lemley, Stanford Law School, Stanford, California; Chuck Fish, Time Warner, Inc., New York, New York; and J. Jeffrey Hawley, Eastman Kodak Company, Rochester, New York, on behalf of the Intellectual Property Owners Association.

House of Representatives

Chamber Action

Measures Introduced: 28 public bills, H.R. 2874-2901; 1 private bill, H.R. 2901; and 6 resolutions, H.J. Res. 54; H. Con. Res. 177–178; and H. Res. 316–318 were introduced. **Page 12586**

Additional Cosponsors: **Page 12587**

Reports Filed: Reports were filed today as follows:

H.R. 420, to amend Rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability, amended (H. Rept. 109–123);

H.R. 800, to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages or injunctive or other relief resulting from the misuse of their products by others, amended (H. Rept. 109–124);

H.R. 38, to designate a portion of the White Salmon River as a component of the National Wild and Scenic Rivers System (H. Rept. 109–125);

H.R. 539, to designate certain National Forest System land in the Commonwealth of Puerto Rico as components of the National Wilderness Preservation System, amended (H. Rept. 109–126);

H. Res. 315, providing for the consideration of H.R. 2863, making appropriations for the Department of Defense for the fiscal year ending September 30, 2006 (H. Rept. 109–127);

H.R. 975, to provide consistent enforcement authority to the Bureau of Land Management, the National Park Service, the United States Fish and Wildlife Service, and the Forest Service to respond to violations of regulations regarding the management, use, and protection of public lands under the jurisdiction of these agencies (H. Rept. 109–128, Pt. 1);

H.R. 599, to provide a source of funds to carry out restoration activities on Federal lands under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture, amended (H. Rept. 109–129, Pt. 1);

H.R. 554, to prevent legislative and regulatory functions from being usurped by civil liability actions brought or continued against food manufacturers, marketers, distributors, advertisers, sellers, and trade associations for claims of injury relating to a person's weight gain, obesity, or any health condition associated with weight gain or obesity, amended (H. Rept. 109–130); and

H.J. Res. 10, proposing an amendment to the Constitution of the United States authorizing the Congress to prohibit the physical desecration of the flag of the United States (H. Rept. 109–131); **Page 12585**

Speaker: Read a letter from the Speaker wherein he appointed Representative Westmoreland to act as speaker pro tempore for today. **Page 12504**

Recess: The House recessed at 9:14 a.m. and reconvened at 10 a.m. **Page 12506**

Science, State, Justice, and Commerce, and Related Agencies Appropriations Act for FY 2006: The House began consideration of H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006. Further consideration will continue tomorrow, June 15. **Page 12514**

Agreed to limit further amendments made in order for debate and the time limit for debate on such amendments. **Page 12573**

Agreed to:

Boswell amendment that increases funding for Community Oriented Policing Services; **Page 12545**

Jackson-Lee amendment that increases funding for Violence Against Women Prevention and Prosecution Programs (agreed to limit the time for debate on the amendment); **Page 12561**

Velázquez amendment that increases funding for administrative expenses to carry out direct and guaranteed loan programs in the Small Business Administration (agreed to limit the time for debate on the amendment) (by a recorded vote of 234 ayes to 189 noes, Roll No. 246); **Pages 12549, 12568**

Baird amendment that increases funding for the DEA and for Community Oriented Policing Programs (agreed to limit the time for debate on the amendment) (by a recorded vote of 260 ayes to 168 noes, Roll No. 248); **Pages 12558, 12570**

Dreier amendment (no. 3 printed in the Congressional Record of June 13) that increases funding for State and Local Law Enforcement Assistance (agreed to limit the time for debate on the bill) (by a recorded vote of 231 ayes to 195 noes, Roll No. 250); and **Pages 12564, 12571**

Garrett of New Jersey amendment that increases funding for State and Local Law Enforcement Assistance. **Page 12572**

Rejected:

Obey amendment that sought to increase funding for State and Local Law Enforcement Assistance and for Community Oriented Policing Services (agreed to limit the time for debate on the amendment) (by a recorded vote of 196 ayes to 230 noes, Roll No. 244); **Pages 12537, 12567**

Terry amendment that sought to increase funding for State and Local Law Enforcement Assistance (agreed to limit the time for debate on the amendment) (by a recorded vote of 175 ayes to 252 noes, Roll No. 245); **Pages 12541, 12568**

Reichert amendment (no. 12 printed in the Congressional Record of June 13) that sought to increase funding for Community Oriented Policing Services (agreed to limit the time for debate on the amendment) (by a recorded vote of 130 ayes to 297 noes, Roll No. 247); and **Pages 12556, 12569**

Stearns amendment (no. 16 printed in the Congressional Record of June 13) that sought to increase funding for Justice Assistance (agreed to limit the time for debate on the amendment) (by a recorded vote of 112 ayes to 316 noes, Roll No. 249). **Pages 12562, 12570**

Withdrawn:

Issa amendment (no. 5 printed in the Congressional Record of June 13) that was offered and subsequently withdrawn that sought to increase funding for salaries and expenses of the Offices of the United States Attorneys; **Page 12545**

Davis of Illinois amendment that was offered and subsequently withdrawn that sought to increase funding for Community Oriented Policing Services; and **Page 12547**

Jackson-Lee amendment that was offered and subsequently withdrawn that sought to increase funding for Exploration Capabilities. **Page 12548**

Point of Order sustained against:

Obey amendment that sought to increase funding for State and Local Law Enforcement Assistance, Community Oriented Policing Services, and for Economic Development Assistance Programs; and adds a new section to title VI regarding tax reductions. **Page 12538**

H. Res. 314, the rule providing for consideration of the bill was agreed to by voice vote, after agreeing to order the previous question by a yea-and-nay vote of 222 yeas to 190 nays, Roll No. 243. **Page 12509**

Privileged Resolution—Intent to Offer: Representative Nadler announced his intent to offer a resolution relating to a question of the privileges of the House. **Page 12514**

Quorum Calls—Votes: One yea-and-nay vote and seven recorded votes developed during the proceedings of today and appear on pages 12513 and 12567–72. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 7:02 p.m.

Committee Meetings

BORDERS—TRAFFICKING IMPACT

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing entitled "Threat Convergence Along the Border: Will Drug Trafficking Techniques Provide Some Answers?" Testimony was heard from the following officials of the Department of Homeland Security: Ralph Utley, Acting Director, Office of Counternarcotics Enforcement; Gregory Passic, Director, Office of Drug Interdiction, Customs and Border Protection; and John P. Torres, Deputy Assistant Director, Office of Investigations, Immigration and Customs Enforcement; and Anthony Placido, Assistant Administrator, Intelligence, DEA, Department of Justice.

QUARTERLY FINANCIAL REPORT PROGRAM; FAITH-BASED ORGANIZATIONS—GETTING FEDERAL HELP NEEDED

Committee on Government Reform: Subcommittee on Federalism and the Census approved for full Committee action, as amended, H.R. 2385, to make permanent the authority of the Secretary of Commerce to conduct the quarterly financial report program.

The Subcommittee also held a hearing entitled "Revitalizing Communities: Are Faith-Based Organizations Getting the Federal Help They Need?" Testimony was heard from Ryan Streeter, Director, Office of Faith-Based Initiatives, Department of Housing and Urban Development; and public witnesses.

ELUSIVE ANTIDOTES

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations held a hearing entitled "Elusive Antidotes: Progress Developing Chemical, Biological, and Nuclear (CBRN) Countermeasures." Testimony was heard from Dale Klein, Assistant Secretary, Nuclear, Chemical, and Biological Defense Programs, Department of Defense; the following officials of the Department of Health and Human Services: Anthony S. Fauci, M.D., Director, National Institute of Allergy and Infectious Diseases, NIH; and Stewart Simonson, Assistant Secretary, Public Health Emergency Preparedness; John Vitko, Jr., Director, Biological Countermeasures Portfolio, Science and Technology Directorate, Department of Homeland Security; and public witnesses.

REDUCING PAPERWORK BURDEN

Committee on Government Reform: Subcommittee on Regulatory Affairs held a hearing entitled "Reducing the Paperwork Burden on the Public: Are Agencies Doing All They Can?" Testimony was heard from Linda D. Koontz, Director, Information Management Issues, GAO; Kimberly T. Nelson, Assistant Administrator and Chief Information Officer, EPA; Patrick Pizzella, Assistant Secretary, Administration and Management, Department of Labor; Daniel P. Matthews, Chief Information Officer, Department of Transportation; and public witnesses.

BRIEFING—CHEMICAL PLANT SECURITY

Committee on Homeland Security: Subcommittee on Intelligence, Information Sharing and Terrorism Risk Assessment met in executive session to receive a briefing on Chemical Plant Security. The Subcommittee was briefed by departmental witnesses.

UNITED STATES AND SOUTH ASIA

Committee on International Relations: Subcommittee on Asia and the Pacific held a hearing on the United States and South Asia. Testimony was heard from Christina B. Rocca, Assistant Secretary, Bureau of South Asian Affairs, Department of State; and public witnesses.

UNITED NATIONS REFORM ACT

Committee on Rules: Testimony was heard from Chairman Hyde and Representatives McCotter, Poe, Shays, Cannon, Kline and Lantos, but action was deferred on H.R. 2745, United Nations Reform Act of 2005.

DEPARTMENT OF DEFENSE APPROPRIATIONS, FY 2006

Committee on Rules: Committee granted, by voice vote, an open rule providing 1 hour of general debate on H.R. 2863, making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. Under the rules of the House the bill shall be read for amendment by paragraph. The rule waives all points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill). The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. Finally, the rule provides one motion to recommit with or without instructions.

INTERNATIONAL SPACE STATION

Committee on Science: Subcommittee on Space held a hearing on Live from Space: The International Space Station.

Testimony was heard from John Phillips, NASA Astronaut, International Space Station; and the following former members of the International Space Station crew: Peggy Whitson and LTC Michael Finsk, USAF, both NASA Astronauts.

MEDICAL LIABILITY PREMIUMS

Committee on Small Business: Held a hearing entitled "Are Skyrocketing Medical Liability Premiums Driving Doctors Away from Underserved Areas?" Testimony was heard from public witnesses.

OVERSIGHT—WATER INFRASTRUCTURE PROJECTS

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment continued oversight hearings on Financing Water Infrastructure Projects. Testimony was heard from Donald W. Hill, Deputy Mayor Pro Tem, Dallas, Texas; Jag Khuman, Director, Water Quality Financing Administration, State of Maryland; and public witnesses.

STATE UNEMPLOYMENT TAX ACT DUMPING PREVENTION ACT IMPLEMENTATION

Committee on Ways and Means: Subcommittee on Human Resources held a hearing on the implementation of the State Unemployment Tax Act (SUTA) Dumping Prevention Act of 2004 (Public Law 108–295), Testimony was heard from the following officials of the Department of Labor: Mason Bishop, Deputy Assistant Secretary, Employment and Training Administration; and Elliot Lewis, Assistant Inspector General, Audit; and David Cleg, Deputy Chairman, Communications and Chief Legal Counsel, Employment Security Commission, State of North Carolina; and public witnesses.

SOCIAL SECURITY—PROTECTING AND STRENGTHENING

Committee on Ways and Means: Subcommittee on Social Security continued hearings on Protecting and Strengthening Social Security. Testimony was heard from public witnesses.

Hearings continue June 16.

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Wednesday, June 15, 2005

Senate

Chamber Action

Routine Proceedings, pages 12698–12769

Measures Introduced: Five bills and one resolution were introduced, as follows: S. 1249–1253, and S. Con. Res. 42. **Page 12759**

Measures Passed:

Senator William V. Roth, Jr. Bridge: Senate passed S. 1140, to designate the State Route 1 Bridge in the State of Delaware as the "Senator William V. Roth, Jr. Bridge". **Page 12768**

Reynaldo G. Garza and Filemon B. Vela United States Courthouse: Senate passed H.R. 483, to designate a United States courthouse in Brownsville, Texas, as the "Reynaldo G. Garza and Filemon B. Vela United States Courthouse", clearing the measure for the President. **Page 12769**

Energy Policy Act: Senate continued consideration of H.R. 6, to ensure jobs for our future with secure, affordable, and reliable energy, taking action on the following amendments proposed thereto: **Pages 12700, 12742**

Adopted:

By 70 yeas to 26 nays (Vote No. 139), Domenici Modified Amendment No. 779 (to Amendment No. 775), to eliminate methyl tertiary butyl ether from the United States fuel supply, to increase production and use of renewable fuel, and to increase the Nation's energy independence. **Page 12701**

Rejected:

Schumer Amendment No. 782 (to Amendment No. 779), to strike the reliable fuels subtitle of the amendment. (By 69 yeas to 28 nays (Vote No. 138), Senate tabled the amendment.) **Page 12700**

Pending:

Cantwell Amendment No. 784, to improve the energy security of the United States and reduce United States dependence on foreign oil imports by 40 percent by 2025. **Page 12720**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Thursday, June 16, 2005. **Page 12769**

Nominations Confirmed: Senate confirmed the following nominations:

Carolyn L. Gallagher, of Texas, to be a Governor of the United States Postal Service for the remainder of the term expiring December 8, 2009

Louis J. Giuliano, of New York, to be a Governor of the United States Postal Service for a term expiring December 8, 2005.

Louis J. Giuliano, of New York, to be a Governor of the United States Postal Service for a term expiring December 8, 2014.

David Garman, of Virginia, to be Under Secretary of Energy.

Ben S. Bernanke, of New Jersey, to be a Member of the Council of Economic Advisers. **Pages 12741, 12769**

Executive Communications: **Page 12754**

Executive Reports of Committees: **Page 12755**

Additional Cosponsors: **Page 12760**

Statements on Introduced Bills/Resolutions: Page 12761

Additional Statements: Page 12751

Amendments Submitted: Page 12766

Authority for Committees to Meet: Page 12768

Privilege of the Floor: Page 12768

Record Votes: Two record votes were taken today. (Total—139) Pages 12701, 12713

Adjournment: Senate convened at 9:30 a.m., and adjourned at 6:35 p.m. until 9:30 a.m., on Thursday, June 16, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 12769.)

Committee Meetings

APPROPRIATIONS: DISTRICT OF COLUMBIA

Committee on Appropriations: Subcommittee on District of Columbia concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the government of the District of Columbia, after receiving testimony from Mayor Anthony A. Williams, Linda W. Cropp, Chairman, Council, Natwar M. Gandhi, Chief Financial Officer, and Clifford B. Janey, Superintendent, Chief State School Officer, all of the government of the District of Columbia.

PENSION BENEFIT GUARANTY CORPORATION

Committee on the Budget: Committee concluded a hearing to examine current financial condition and potential risks relating to solvency of the Pension Benefit Guaranty Corporation, focusing on the state of the defined benefit system, and accrual accounting and exposure to underfunding of pension plans, after receiving testimony from Bradley D. Belt, Executive Director, Pension Benefit Guaranty Corporation; and Douglas Holtz-Eakin, Director, Congressional Budget Office.

BALLAST WATER INVASIVE SPECIES MANAGEMENT

Committee on Commerce, Science, and Transportation: National Ocean Policy Study concluded a hearing to examine ballast water invasive species management and threats to coral reefs, focusing on reauthorization of the Coral Reef Conservation Act, after receiving testimony from Timothy R.E. Keeney, Deputy Assistant Secretary of Commerce for Oceans and Atmosphere, National Oceanic and Atmospheric Administration; Rear Admiral Thomas H. Gilmour, Assistant Commandant for Marine Safety, Security, and Environmental Protection, U.S. Coast Guard, Department of Homeland Security; Maurya B. Falkner, California State Lands Commission, Sacramento; Kathy J. Metcalf, Chamber of Shipping of America, Washington, D.C., on behalf of the Shipping Industry Ballast Water Coalition; Joel C. Mandelman, Nutech 03, Incorporated, Arlington, Virginia; and Kim Hum, The Nature Conservancy of Hawaii, Honolulu.

MEDICAID REFORM

Committee on Finance: Committee held a hearing to examine strategies for strengthening Medicaid, focusing on the impact on State government budgets, cost-sharing rules, enhancing quality and reducing costs of the overall health care system, and strengthening employer-based and other forms of health care coverage, receiving testimony from Virginia Governor Mark Warner, Richmond, and Arkansas Governor Mike Huckabee, Little Rock, both on behalf of the National Governors Association; Alan R. Weil, National Academy for State Health Policy, Portland, Maine; and Jeanne M. Lambrew, Center for American Progress, and Stuart M. Butler, The Heritage Foundation, both of Washington, D.C.

Hearing recessed subject to call.

NOMINATIONS

Committee on Foreign Relations: Committee ordered favorably reported the nominations of Zalmay Khalilzad, of Maryland, to be Ambassador to Iraq, Eduardo Aguirre, Jr., of Texas, to be Ambassador to Spain and Andorra, Julie Finley, of the District of Columbia, to be U.S. Representative to the Organization for Security and Cooperation in Europe, with the rank of Ambassador, Craig Roberts Stapleton, of Connecticut, to be Ambassador to France, Robert Johann Dieter, of Colorado, to be Ambassador to Belize, Rodolphe M. Vallee, of Vermont, to be Ambassador to the Slovak Republic, Molly Hering Bordonaro, of Oregon, to be Ambassador to the Republic of Malta, Ann Louise Wagner, of Missouri, to be Ambassador to Luxembourg, Donald E. Booth, of Virginia, to be Ambassador to the Republic of Liberia, Pamela E. Bridgewater, of Virginia, to be Ambassador to the Republic of Ghana, Terence Patrick McCulley, of Oregon, to be Ambassador to the Republic of Mali, Roger Dwayne Pierce, of Virginia, to be Ambassador to Republic of Cape Verde, Christopher J. Hanley, of Maryland, to be a Member of the Board of Directors of the Overseas Private Investment Corporation, Jorge A. Plasencia, of Florida, to be a Member of the Advisory Board for Cuba Broadcasting, Jay T. Snyder, of New York, to be a Member of the United States Advisory Commission on Public Diplomacy, Richard J . Griffin, of Virginia, to be Director of the Office of Foreign Missions, and to have the rank of Ambassador during his tenure of service, and to be Assistant Secretary of State for Diplomatic Security, and certain Foreign Service Officer promotion lists.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing on the nominations of Ronald E. Neumann, of Virginia, to be Ambassador to the Islamic Republic of Afghanistan, Gregory L. Schulte, of Virginia, to be Representative of the United States of America to the International Atomic Energy Agency, with the rank of Ambassador, and Representative of the United States of America to the Vienna Office of the United Nations, with the rank of Ambassador, and Michael E. Hess, of New York, to be Assistant Administrator of the United States Agency for International Development in the Bureau of Democracy, Conflict and Humanitarian Assistance, after the nominees testified and answered questions in their own behalf.

CHEMICAL FACILITIES SAFETY

Committee on Homeland Security and Governmental Affairs: Committee held a hearing to determine whether the Federal government is doing enough to secure chemical facilities, focusing on buffer zone protection plans (BZPPs), site assistance visits (SAVs), and increased security information sharing, receiving testimony from Robert B. Stephan, Acting Under Secretary of Homeland Security for Information Analysis and Infrastructure Protection; and Thomas P. Dunne, Deputy Assistant Administrator, Office of Solid Waste and Emergency Response, Environmental Protection Agency.

Hearing recessed subject to call.

NOMINATIONS

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nominations of Linda M. Springer, of Pennsylvania, to be Director of the Office of Personnel Management, Laura A. Cordero, to be an Associate Judge of the Superior Court of the District of Columbia, who was introduced by District of Columbia Delegate Norton, and A. Noel Anketell Kramer, to be an Associate Judge of the District of Columbia Court of Appeals, after the nominees testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported the nomination of Lester M. Crawford, of Maryland, to be Commissioner of Food and Drugs, Department of Health and Human Services.

YOUTH SUICIDE PREVENTION

Committee on Indian Affairs: Committee concluded an oversight hearing to examine youth suicide prevention among Native Americans, focusing on economic issues, health care benefits and access, behavioral health care issues for tribal youth, and traditional health practice, after receiving testimony from Richard H. Carmona, Surgeon General, Public Health Service, Office of Public Health and Science, and Charles Grim, Director, Indian Health Service, both of the Department of Health and Human Services; Twila Rough Surface, Standing Rock Sioux Tribe, Fort Yates, North Dakota; Joseph B. Stone, Confederated Tribes of the Grande Ronde Behavioral Health Program, Grande Ronde, Oregon, on behalf of the American Psychological Association; Julie Garreau, Cheyenne River Youth Project, Eagle Butte, South Dakota; R. Dale Walker, Oregon Health and Science University One Sky Center, Portland; and Clark Flatt, The Jason Foundation, Inc., Hendersonville, Tennessee.

DETAINEES

Committee on the Judiciary: Committee concluded a hearing to examine issues relating to detainees at the Guantanamo Bay Naval Station in Cuba, focusing on certain Supreme Court rulings related to detained enemy combatants, status of cases pending before Military Commissions, and the war on terrorism, after receiving testimony from Brigadier General Thomas L. Hemingway, Legal Advisor to the Appointing Authority for the Office of Military Commissions, and Rear Admiral James M. McGarrah, Director of Administrative Review of the Detention of Enemy Combatants, and Lieutenant Commander Charles D. Swift, Judge Advocate General's Corps, both of the Department of the Navy, all of the Department of Defense; J. Michael Wiggins, Deputy Associate Attorney General, and Glenn A. Fine, Inspector General, both of the Department of Justice; William P. Barr, Verizon Corporation, Washington, D.C., former U.S. Attorney General; Joseph Margulies, University of Chicago Law School MacArthur Justice Center, Chicago, Illinois; and Stephen J. Schulhofer, New York University School of Law, New York, New York.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

ENERGY COSTS AND THE ELDERLY

Special Committee on Aging: Committee concluded a hearing to examine the effects of rising energy prices and their impact on America's senior citizens, focusing on the costs of heating oil, gasoline, residential natural gas, and electricity, after receiving testimony from Margot H. Anderson, Director, Office of Energy Markets and End Use, Energy Information Administration, Department of Energy; Nelda Barnett, Owensboro, Kentucky, on behalf of the AARP; Donna K. Harvey, Hawkeye Valley Area Agency on Aging, Inc., Waterloo, Iowa, on behalf of the National Association of Area Agencies on Aging; and Jim Slusher, Mid Columbia Community Action Council, Inc., The Dalles, Oregon.

House of Representatives

Chamber Action

Measures Introduced: 27 public bills, H.R. 2903-2929; and 4 resolutions, H. Res. 320–323 were introduced. **Page 12695**

Additional Cosponsors: **Page 12696**

Reports Filed: Reports were filed today as follows:

H. Res. 319, providing for consideration of H.R. 2745, to reform the United Nations (H. Rept. 109–132);

H.R. 68, to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the establishment of the National Aeronautics and Space Administration and the Jet Propulsion Laboratory, amended (H. Rept. 109–133, Pt. 1); and

H.R. 358, to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the desegregation of the Little Rock Central High School in Little Rock, Arkansas, amended (H. Rept. 109–134, Pt. 1). **Page 12694**

Speaker: Read a letter from the Speaker wherein he appointed Representative Bradley to act as speaker pro tempore for today. **Page 12620**

Chaplain: The prayer was offered by Dr. Edward D. Johnson, Senior Pastor, First Baptist Church of Ocala in Ocala, Florida. **Page 12620**

Science, Justice, State, and Commerce, and Related Agencies Appropriations Act for FY 2006: The House continued consideration of H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006. The bill was also considered yesterday, June 14. Further consideration will continue tomorrow, June 16. **Page 12625**

Agreed yesterday, June 14, to limit further amendments made in order for debate and the time limit for debate on such amendments. **Page 12625**

H. Res. 314, the rule providing for consideration of the bill was agreed to yesterday, June 14. **Page 12625**

Agreed to:

Wolf amendment that increases funding for Community Oriented Policing Services; **Page 12626**

Paul amendment (no. 10 printed in the Congressional Record of June 13) that prohibits the use of funds by the U.N. to develop or publicize any proposal concerning taxation or fees on any U.S. person in order to raise revenue for the U.N.; **Page 12651**

Chocola amendment (no. 1 printed in the Congressional Record of June 13) that prohibits the use of funds by NASA to employ any individual under the title "artist in residence"; **Page 12663**

King of Iowa amendment (no. 28 printed in the Congressional Record of June 14) that provides funding for enforcement of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996; **Page 12676**

Jackson-Lee amendment that prohibits the use of funds to deny the production of safety reports regarding the NASA Space Shuttle program and the International Space Station; **Page 12682**

Hostettler amendment (no. 21 printed in the Congressional Record of June 13) that prohibits the use of funds to enforce the judgment of the U.S. District Court for the Southern District of Indiana in the case of Russelburg v. Gibson County, decided January 31, 2005 (by a recorded vote of 242 ayes to 182 noes, Roll No. 257); and **Pages 12665, 12684**

Sanders amendment (no. 15 printed in the Congressional Record of June 13) that prohibits the use of funds to make an application under the Foreign Intelligence Surveillance Act of 1978 for an order requiring the production of library circulation records, library patron lists, book sales records, or book customer lists (by a recorded vote of 238 ayes to 187 noes, Roll No. 258). **Pages 12667, 12685**

Rejected:

Moore of Wisconsin amendment that sought to provide funding for operational assistance grants under the Small Business Investment Act of 1958, and for guarantees of debentures under the Small Business Act; **Page 12643**

Weiner amendment that sought to increase funding for Community Oriented Policing Services (by a recorded vote of 31 ayes to 396 noes, Roll No. 251); **Pages 12627, 12659**

Inslee amendment that sought to increase funding for NOAA, Operations, Research, and Facilities (by a recorded vote of 177 ayes to 248 noes, Roll No. 252); **Pages 12633, 12660**

Hayworth amendment (no. 33 printed in the Congressional Record of June 14) that sought to reduce funding for contributions to international organizations (by a recorded vote of 124 ayes to 304 noes, Roll No. 253); **Pages 12637, 12660**

Flake amendment that sought to prohibit the use of funds to implement, administer, or enforce the amendments to title 15, Code of Federal Regulations, relating to license exemptions for gift parcels and humanitarian donations for Cuba (by a recorded vote of 210 ayes to 216 noes, Roll No. 254); **Pages 12648, 12661**

Hinchey amendment that sought to prohibit the use of funds to prevent Alaska, California, Colorado, Hawaii, Maine, Montana, Nevada, Oregon, Vermont, or Washington from implementing state laws authorizing the use of medical marijuana (by a recorded vote of 161 ayes to 264 noes, Roll No. 255); **Pages 12651, 12662**

Nadler amendment (no. 9 printed in the Congressional Record of June 13) that sought to prohibit the use of funds to issue a national security letter, for health insurance records, under the provisions of law amended by the USA PATRIOT Act of 2001; and **Page 12677**

Jones of Ohio amendment that sought to prohibit the use of funds to close or consolidate any office of the Equal Employment Opportunity Commission (by a recorded vote of 201 ayes to 222 noes, Roll No. 256). **Pages 12664, 12683**

Withdrawn:

Mica amendment that was offered and subsequently withdrawn that sought to increase funding for the International Trade Administration; **Page 12632**

McDermott amendment that was offered and subsequently withdrawn that sought to prohibit the use of funds to prosecute any individual for travel to Cuba; **Page 12647**

Schiff amendment that was offered and subsequently withdrawn that sought to prohibit the use of funds designated for a DNA analysis and capacity enhancement program, and for other forensic activities, to be used for a grant to a State that does not have policies and procedures to ensure that the State collects DNA from every felon convicted in the courts of the State; **Page 12657**

Otter amendment (no. 29 printed in the Congressional Record of June 14) that was offered and subsequently withdrawn that sought to add a new title to the end of the bill, regarding the Limitation on Authority to Delay Notice of Search Warrants; **Page 12658**

Jackson-Lee amendment (no. 23 printed in the Congressional Record of June 14) that was offered and subsequently withdrawn that sought to prohibit the use of funds to facilitate the issuance of affirmances by single members of the Board of Immigration Appeals without an accompanying opinion; and **Page 12667**

Stearns amendment (no. 17 printed in the Congressional Record of June 13) that was offered and subsequently withdrawn that sought to prohibit the use of funds for the design, construction, or rental of any new headquarters for the U.N. in New York City or any other location in the U.S. **Page 12679**

Point of Order:

Reyes amendment that sought to urge the President and Secretary of State to incorporate the investigative and preventative efforts of the Government of Mexico in the bilateral agenda between Mexico and the U.S.; and to support efforts to identify unknown victims through forensic analysis; **Page 12640**

Section 607 regarding the Made in America label; and **Page 12647**

Schiff amendment that sought to express the sense of Congress that all necessary steps should be taken to provide adequate security for the judiciary and to protect and uphold the independence of the judicial branch. **Page 12657**

Quorum Calls—Votes: Eight recorded votes developed during the proceedings of today and appear on pages 12659–62 and 12683–85. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 6:43 p.m.

Committee Meetings

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HUD, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES APPROPRIATIONS FISCAL YEAR 2006

Committee on Appropriations: Subcommittee on The Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and Independent Agencies approved for full Committee action The Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and Independent Agencies appropriations for Fiscal Year 2006.

PENSION PROTECTION ACT OF 2005

Committee on Education and the Workforce: Held a hearing on H.R. 2830, Pension Protection Act of 2005. Testimony was heard from public witnesses.

MEDICAID REFORM

Committee on Energy and Commerce: Held a hearing entitled "Medicaid Reform: The National Governor's Association's Bipartisan Roadmap." Testimony was heard from the following Governors: Mike Huckabee of Arkansas and Mark R. Warner of Virginia.

PRODUCT COUNTERFEITING

Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protection held a hearing on Product Counterfeiting: How Fakes Are Undermining U.S. Jobs, Innovation, and Consumer Safety. Testimony was heard from public witnesses.

REAL ESTATE COMPETITION

Committee on Financial Services: Held a hearing entitled "Protecting Consumers and Promoting Competition in Real Estate Services." Testimony was heard from Representative Leach; former Representative Thomas J. Bliley of Virginia; and public witnesses.

STEROID USE IN SPORTS

Committee on Government Reform: Held a hearing entitled "Eradicating Steroids Use, Part IV: Examining the Use of Steroids by Young Women to Enhance Athletic Performance and Body Image." Testimony was heard from Mari Holden, Olympian and World Champion Cyclist; Kelli White, former World Champion Sprinter; and public witnesses.

OFFICE OF NATIONAL DRUG CONTROL POLICY REAUTHORIZATION

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing on Reauthorization of the Office of National Drug Control Policy. Testimony was heard from John P. Walters, Director, Office of National Drug Control Policy; and public witnesses.

CHEMICAL PLANT SECURITY

Committee on Homeland Security: Subcommittee on Economic Security, Infrastructure Protection, and Cybersecurity held a hearing entitled "Preventing Terrorist Attacks on America's Chemical Plants." Testimony was heard from Robert Stephan, Assistant Secretary, Infrastructure Protection, Department of Homeland Security; and public witnesses.

BRIEFING—CHEMICAL PLANT SECURITY

Committee on Homeland Security: Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment continued to meet in executive session to receive a briefing on Chemical Plant Security. The Subcommittee was briefed by departmental witnesses.

OVERSIGHT—DIVERSITY VISA PROGRAM

Committee on the Judiciary: Subcommittee on Immigration, Border Security, and Claims held an oversight hearing on The Diversity Visa Program. Testimony was heard from Howard J. Krongard, Inspector General, Department of State and Broadcasting Board of Governors; and public witnesses.

OVERSIGHT—FEDERAL LAND AND LOCAL GOVERNMENT

Committee on Resources: Subcommittee on Forests and Forest Health held an oversight hearing on the Impacts of Federal Land Ownership on Communities and Local Governments. Testimony was heard from Mark Rey, Under Secretary, Natural Resources and Environment, USDA; James M. Hughes, Deputy Director, Bureau of Land Management, Department of the Interior; Roger West, Representative, House of Representatives, State of North Carolina; and public witnesses.

HENRY J. HYDE UNITED NATIONS REFORM ACT OF 2005

Committee on Rules: Granted, by voice vote, a structured rule providing 20 minutes of general debate on H.R. 2745, Henry J. Hyde United Nations Reform Act of 2005, to be equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on International Relations now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the amendment in the nature of a substitute recommended by the Committee on International Relations.

The rule makes in order only those amendments printed in the Rules Committee report and amendments en bloc described in section 3 of the resolution. The rule provides that amendments shall be considered only in the order specified in the report, may be offered only by a Member designated in the report, shall be debatable for the time specified in the report, shall not be subject to amendment, shall be considered as read, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule waives all points of order against amendments printed in the Rules Committee report and amendments en bloc described in section 3 of the resolution.

The rule provides for an additional 20 minutes of general debate on the topic of accountability of the United Nations prior to consideration of amendments printed in subpart A of Part 1 of the report; an additional 10 minutes of general debate on the topic of United Nations peacekeeping operations prior to consideration of amendments printed in subpart B of Part 1 of the report; an additional 10 minutes of general debate on the topic of the International Atomic Energy Agency prior to consideration of amendments printed in subpart C of Part 1 of the report; an additional 20 minutes of general debate on the topic of human rights prior to consideration of amendments printed in subpart D of Part 1 of the report; an additional 20 minutes of general debate on the topic of the Oil-for-Food Program prior to consideration of amendments printed in subpart E of Part 1 of the report.

The rule authorizes the chairman of the Committee on International Relations or his designee to offer amendments en bloc consisting of amendments in part 2 of the report or germane modifications thereto, which shall be considered as read except that modifications shall be reported, which shall not be subject to amendment or a demand for division of the question in the House or in the Committee of the Whole, and which shall be debatable for 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations or their designees. Finally, the rule provides one motion to recommit with or without instructions.

OVERSIGHT—COAST GUARD LAW ENFORCEMENT

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation held an oversight hearing on Coast Guard Law Enforcement. Testimony was heard from RADM R. Dennis Sirois, USCG, Acting Commandant for Operations, U.S. Coast Guard, Department of Homeland Security.

DOMINICAN REPUBLIC-CENTRAL AMERICA-UNITED STATES FREE TRADE AGREEMENT IMPLEMENTATION ACT

Committee on Ways and Means: Approved, as amended, the draft implementing proposal on the Dominican Republic-

Central America-United States Free Trade Agreement Implementation Act.

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Thursday, June 16, 2005

Senate

Chamber Action

Routine Proceedings, pages 12789–12909

Measures Introduced: Fourteen bills and four resolutions were introduced, as follows: S. 1254–1267, and S. Res. 172–175. **Page 12863**

Measures Reported:

H.R. 2360, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006, with an amendment in the nature of a substitute. (S. Rept. No. 109–83)

H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006, with an amendment in the nature of a substitute. (S. Rept. No. 109–84)

S. 1266, to permanently authorize certain provisions of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act of 2001, to reauthorize a provision of the Intelligence Reform and Terrorism Prevention Act of 2004, to clarify certain definitions in the Foreign Intelligence Surveillance Act of 1978, to provide additional investigative tools necessary to protect the national security. (S. Rept. No. 109–85)

S. 491, to amend the Omnibus Crime Control and Safe Streets Act of 1968 to expand the definition of firefighter to include apprentices and trainees, regardless of age or duty limitations.

S. 852, to create a fair and efficient system to resolve claims of victims for bodily injury caused by asbestos exposure, with amendments. **Page 12862**

Measures Passed:

Recognizing Aung San Suu Kyi: Senate agreed to S. Res. 174, recognizing Burmese democracy activist and Nobel Peace Prize Laureate Aung San Suu Kyi as a symbol of the struggle for freedom in Burma. **Pages 12891, 12904**

Commending University of Michigan Softball Team: Senate agreed to S. Res. 175, commending the University of Michigan softball team for winning the National Collegiate Athletic Association Division I Championship on June 8, 2005. **Pages 12892, 12904**

Energy Policy Act: Senate continued consideration of H.R. 6, to ensure jobs for our future with secure, affordable, and reliable energy, taking action on the following amendments proposed thereto: **Page 12791**

Adopted:

By 52 yeas to 48 nays (Vote No. 141), Bingaman Amendment No. 791, to establish a renewable portfolio standard. **Pages 12793, 12813, 12821**

Domenici/Bingaman Amendment No. 794, to make certain improvements to the bill relative to the institution of higher education, high performance building standards, and to provide for a study of overall employment in a hydrogen economy. **Page 12824**

Rejected:

By 47 yeas to 53 nays (Vote No. 140), Cantwell Modified Amendment No. 784, to improve the energy security of the United States and reduce United States dependence on foreign oil imports by 40 percent by 2025. **Page 12811**

A unanimous-consent agreement was reached providing for further consideration of the bill at 2 p.m., on Monday, June 20, 2005. **Page 12906**

Nomination—Agreement: A unanimous-consent-time agreement was reached providing for further consideration of the nomination of John Robert Bolton, of Maryland, to be U.S. Representative to the United Nations, with the rank and status of Ambassador, and the U.S. Representative in the Security Council of the United Nations, at 5 p.m., on Monday, June 20, 2005; that the time until 6 p.m. be equally divided between the Majority Leader and Democratic Leader, or their designees; and that at 6 p.m. the motion to proceed to the motion to reconsider the failed cloture vote be agreed to; the motion to reconsider be agreed to; and the Senate then vote on the motion to invoke cloture on the nomination. **Page 12906**

Former Senator Exon Tributes—Agreement: A unanimous-consent agreement was reached providing that the tribute statements regarding former Senator Exon be printed as a Senate document provided that Senators have until the close of business on June 30th, 2005 to submit such statements. **Page 12906**

Nominations Confirmed: Senate confirmed the following nominations:

Jorge A. Plasencia, of Florida, to be a Member of the Advisory Board for Cuba Broadcasting for a term expiring October 27, 2006.

Jay T. Snyder, of New York, to be a Member of the United States Advisory Commission on Public Diplomacy for a term expiring July 1, 2007.

Christopher J. Hanley, of Maryland, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2006.

Craig Roberts Stapleton, of Connecticut, to be Ambassador to France.

Eduardo Aguirre, Jr., of Texas, to be Ambassador to Spain, and to serve concurrently and without additional compensation as Ambassador to Andorra.

Roger Dwayne Pierce, of Virginia, to be Ambassador to Republic of Cape Verde.

Donald E. Booth, of Virginia, to be Ambassador to the Republic of Liberia.

Molly Hering Bordonaro, of Oregon, to be Ambassador to the Republic of Malta.

Julie Finley, of the District of Columbia, to be U.S. Representative to the Organization for Security and Cooperation in Europe, with the rank of Ambassador.

Richard J. Griffin, of Virginia, to be an Assistant Secretary of State (Diplomatic Security).

Richard J. Griffin, of Virginia, to be Director of the Office of Foreign Missions, and to have the rank of Ambassador during his tenure of service.

Robert Johann Dieter, of Colorado, to be Ambassador to Belize.

Zalmay Khalilzad, of Maryland, to be Ambassador to Iraq.

Rodolphe M. Vallee, of Vermont, to be Ambassador to the Slovak Republic.

Pamela E. Bridgewater, of Virginia, to be Ambassador to the Republic of Ghana.

Ann Louise Wagner, of Missouri, to be Ambassador to Luxembourg.

Terence Patrick McCulley, of Oregon, to be Ambassador to the Republic of Mali.

Routine lists in the Foreign Service. **Pages 12902, 12908**

Nominations Received: Senate received the following nominations:

John G. Grimes, of Virginia, to be an Assistant Secretary of Defense.

Wan J. Kim, of Maryland, to be an Assistant Attorney General.

1 Air Force nomination in the rank of general.

A routine list in the National Oceanic and Atmospheric Administration. **Page 12908**

Nominations Withdrawn: Senate received notification of withdrawal of the following nomination:

Thomas V. Skinner, of Illinois, to be an Assistant Administrator of the Environmental Protection Agency, which was sent to the Senate on January 24, 2005. **Page 12909**

Messages From the House: **Page 12854**

Measures Referred: **Page 12855**

Petitions and Memorials: **Page 12855**

Executive Reports of Committees: **Page 12863**

Additional Cosponsors: **Page 12863**

Statements on Introduced Bills/Resolutions: **Page 12865**

Additional Statements: **Page 12849**

Amendments Submitted: **Page 12892**

Authority for Committees to Meet: **Page 12902**

Privilege of the Floor: **Page 12902**

Record Votes: Two record votes were taken today. (Total—141) **Page 12821**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 7:35 p.m. until 2 p.m., on Monday, June 20, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 12906.)

Committee Meetings

APPROPRIATIONS: HOMELAND SECURITY/ ENERGY AND WATER DEVELOPMENT

Committee on Appropriations: Committee ordered favorably reported the following bills:

H.R. 2360, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006, with an amendment in the nature of a substitute; and

H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006, with an amendment in the nature of a substitute.

MEETING THE HOUSING AND SERVICE NEEDS OF SENIORS ACT

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine S. 705, to establish the Interagency Council on Meeting the Housing and Service Needs of Seniors, after receiving testimony from Alphonso R. Jackson, Secretary of Housing and Urban Development; David G. Wood, Director, Financial Markets and Community Investment, Government Accountability Office; Nelda Barnett, AARP, and William T. Smith, American Association of Homes and Services for the Aging, both of Washington, D.C.; Dana Jo Olson, Volunteers of America, Colorado Springs, Colorado; Stephen Proctor, Presbyterian Homes, Inc., Camp Hill, Pennsylvania, on behalf of the Pennsylvania Non Profit Housing Association; Terry Allton, National Church Residences, Columbus, Ohio; and Steve Protulis, Elderly Housing Development and Operations Corporation, Fort Lauderdale, Florida.

IDENTITY THEFT

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine Federal legislative solutions to data breaches and identity theft, focusing on ensuring the safety and security of consumers' personal information, after receiving testimony from Senators Feinstein and Schumer; Representative Hooley; Deborah Platt Majoras, Chairman, Orson Swindle, Thomas B. Leary, Pamela Jones Harbour, and Jon Leibowitz, all Commissioners, all of the Federal Trade Commission; and Vermont Attorney General William H. Sorrell, Montpelier, on behalf of the National Association of Attorneys General.

NOMINATIONS

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the nominations of William Alan Jeffrey, of Virginia, to be Director of the National Institute of Standards and Technology, Department of Commerce, who was introduced by Senator Allen, and Israel Hernandez, of Texas, to be Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Service, who was introduced by Senator Hutchison, Ashok G. Kaveeshwar, of Maryland, to be Administrator of the Research and Innovative Technology Administration, Department of Transportation, and Edmund S. Hawley, of California, to be Assistant Secretary of Homeland Security for Transportation Security Administration, after the nominees testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported an original bill entitled, Energy Policy Tax Incentives Act of 2005.

U.S. STABILIZATION AND RECONSTRUCTION

Committee on Foreign Relations: Committee concluded a hearing to examine United States stabilization and reconstruction efforts to prevent or prepare for certain post-conflict situations, after receiving testimony from Carlos Pascual, Coordinator for Reconstruction and Stabilization, Department of State; Ryan Henry, Principal Deputy Under Secretary for Policy, and Lieutenant General Walter Sharp, Director, Strategic Plans and Policy, Joint Staff, both of the Department of Defense; and James R. Kunder, Assistant Administrator for Asia and the Near East, United States Agency for International Development.

FINANCIAL MANAGEMENT

Committee on Homeland Security and Governmental Affairs: Permanent Subcommittee on Investigations held a hearing to examine tax delinquency problems with Federal contractors, focusing on civilian agency contractors involved in abusive and potentially criminal activity related to the Federal tax system, receiving testimony from Gregory D. Kutz, Managing Director, Forensic Audits and Special Investigations, Steven J. Sebastian, Director, Financial Management and Assurance, and John J. Ryan, Assistant Director, Forensic Audits and Special Investigations, all of the Government Accountability Office; and Mark W. Everson, Commissioner, Internal Revenue Service, and Richard L. Gregg, Commissioner, Financial Management Service, both of the Department of the Treasury.

Hearing recessed subject to call.

INDIAN EDUCATION

Committee on Indian Affairs: Committee held an oversight hearing to examine Indian education issues, focusing on Bureau of Indian Affairs education programs, program performance and professional development, teacher recruitment efforts, fiscal and financial management, and safe and secure schools, receiving testimony from James E. Cason, Associate Deputy Secretary, Ed Parisian, Acting Director, Office of Indian Education Programs, and Dominic Lowery, Acting Chair, National Fund for Excellence in American Indian Education, all of the Department of the Interior; Victoria Vasques, Assistant Deputy Secretary of Education and Director, Office of Indian Education; David Beaulieu, National Indian Education Association, Washington, D.C.; Joe McDonald, Salish Kootenai College, Pablo, Montana, on behalf of the American Indian Higher Education Consortium; Roger Bordeaux, Tiospa Zina Tribal School, Sisseton, South Dakota, on behalf of the Association of Community Tribal Schools, Inc.

Hearing recessed subject to the call.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 491, to amend the Omnibus Crime Control and Safe Streets Act of 1968 to expand the definition of firefighter to include apprentices and trainees, regardless of age or duty limitations, and

The nominations of Terrence W. Boyle, of North Carolina, to be United States Circuit Judge for the Fourth Circuit, and Rachel Brand, of Iowa, to be Assistant Attorney General for the Office of Legal Policy, and Alice S. Fisher, of Virginia, to be Assistant Attorney General for the Criminal Division, both of the Department of Justice.

NOMINATION

Select Committee on Intelligence: Committee concluded a hearing to examine the nomination of Janice B. Gardner, of Virginia, to be Assistant Secretary of the Treasury for Intelligence and Analysis, after the nominee testified and answered questions in her own behalf.

House of Representatives

Chamber Action

Measures Introduced: 27 public bills, H.R. 2930–2956; and 7 resolutions, H.J. Res. 55; H. Con. Res. 179–180; and H. Res. 324–327 were introduced. **Page 13004**

Additional Cosponsors: **Page 13006**

Reports Filed: Reports were filed today as follows:

H.R. 394, to direct the Secretary of the Interior to conduct a boundary study to evaluate the significance of the Colonel James Barrett Farm in the Commonwealth of Massachusetts and the suitability and feasibility of its inclusion in the National Park System as part of the

Minute Man National Historical Park, amended (H. Rept. 109–135);

H.R. 2123, to reauthorize the Head Start Act to improve the school readiness of disadvantaged children, amended (H. Rept. 109–136);

H.R. 1412, to amend the Ports and Waterways Safety Act to require notification of the Coast Guard regarding obstructions to navigation, amended (H. Rept. 109–137); and

H.R. 280, to facilitate the provision of assistance by the Department of Housing and Urban Development for the cleanup and economic redevelopment of brownfields (H. Rept. 109–138). **Page 13004**

Department of Defense Appropriations Act for FY 2006—Rule for Consideration: H. Res. 315, the rule providing for consideration of H.R. 2863, making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, was agreed to by voice vote, after agreeing to order the previous question by a yea-and-nay vote of 223 yeas to 220 nays, Roll No. 269. **Pages 12914, 12955**

Science, State, Justice, and Commerce, and Related Agencies Appropriations Act for FY 2006: The House passed H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, by a yea-and-nay vote of 418 yeas to 7 nays, Roll No. 268. The bill was also considered on June 14 and June 15. **Page 12928**

Agreed on June 14, to limit further amendments made in order for debate and the time limit for debate on such amendments.

Agreed to:

Markey amendment that prohibits the use of funds in contravention of laws enacted or regulations promulgated to implement the UN Contravention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (by a recorded vote of 415 ayes to 8 noes and 1 voting "present", Roll No. 261); and **Pages 12930, 12949**

King of Iowa amendment (no. 28 printed in the Congressional Record of June 14) that provides funding for enforcement of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (debated yesterday, June 15 and agreed to by voice vote, a separate vote was requested today and the amendment was agreed to by a recorded vote of 218 ayes to 208 noes, Roll No. 267). **Page 12954**

Rejected:

Paul amendment (no. 11 printed in the Congressional Record of June 13) that sought to prohibit the use of funds to pay any U.S. contribution to the U.N. or any affiliated agency of the U.N. (by a recorded vote of 65 ayes to 357 noes, Roll No. 259); **Pages 12928, 12948**

Hefley amendment (no. 4 printed in the Congressional Record of June 13) that sought to reduce overall funding in the bill by 1% (by a recorded vote of 91 ayes to 336 noes, Roll No. 260); **Pages 12929, 12949**

Tancredo amendment (no. 19 printed in the Congressional Record of June 13) that sought to prohibit the use of funds for the State Criminal Alien Assistance Program in contravention of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (by a recorded vote of 204 ayes to 222 noes, Roll No. 262); **Pages 12932, 12950**

Tancredo amendment (no. 18 printed in the Congressional Record of June 13) that sought to prohibit the use of funds to include in any bilateral or multilateral trade agreement any provision that would increase any limitation on the number of aliens authorized to enter the U.S. as a nonimmigrant, or as an alien lawfully admitted for permanent residence, or to adjust such status (by a recorded vote of 106 ayes to 322 noes, Roll No. 263); **Pages 12935, 12951**

Jackson-Lee amendment that sought to prohibit funding under Office of Justice Programs—Justice Assistance, for a State Authorizing Agent that has not shared its improvements of criminal justice records with the Attorney General (by a recorded vote of 183 ayes to 244 noes, Roll No. 264); **Pages 12937, 12951**

Moran of Virginia amendment that sought to prohibit the use of funds to pay administrative expenses or compensate an officer or employee of the U.S. in connection with licensing the export of any centerfire .50 caliber rifle to any nongovernmental entity (by a recorded vote of 149 ayes to 278 noes, Roll No. 265); and **Pages 12939, 12952**

Maloney amendment (no. 6 printed in the Congressional Record of June 13) that sought to prohibit the use of funds to enforce any provision of law that prohibits or restricts funding for the United Nations Population Fund (by a recorded vote of 192 ayes to 233 noes, Roll No. 266). **Pages 12941, 12953**

Withdrawn:

Cleaver amendment (no. 2 printed in the Congressional Record of June 13) that was offered and subsequently withdrawn that sought to prohibit the use of funds to process or approve a competition under OMB regulations for services provided by the National Logistics Support Center of the NOAA in Kansas City, Missouri. **Page 12933**

H. Res. 314, the rule providing for consideration of the bill was agreed to on June 14.

Henry J. Hyde United Nations Reform Act of 2005: The House began consideration of H.R. 2745, to reform the United Nations. Further consideration will resume tomorrow, June 17. **Page 12964**

Agreed to:

Garrett of New Jersey amendment (no. 2 printed in subpart A of part 1 of H. Rept. 109–132) that requires the Comptroller General to submit a report to Congress describing the costs associated with the contracting for and construction of the Geneva, Switzerland, buildings of the World Meteorological Organization and the World Intellectual Property Organization; **Page 12980**

Cannon amendment (no. 3 printed in subpart A of part 1 of H. Rept. 109–132) that adds whether the U.N. or any of its specialized agencies have contracted with parties on the U.S. Government's Excluded Parties List to the report to Congress on the state of the U.N. reforms since 1990; **Page 12981**

McCotter amendment (no. 4 printed in subpart A of part 1 of H. Rept. 109–132) that provides that no employee of the U.N. shall be compensated while participating in a domestic election except for voting and acting on behalf of the U.N. in an authorized U.N. mission; makes other provisions regarding employees convicted of crimes involving financial misfeasance, malfeasance, fraud or perjury; and provides that any employee who has contact regarding the internal ongoing operations of the U.N. with any person not employed by the U.N. shall prepare a memorandum of such contact; **Page 12982**

Boozman amendment (no. 1 printed in subpart B of part 1 of H. Rept. 109–132) that adds the lifting of restrictions on the secondment of military personnel to serve at the Department of Peacekeeping Operations headquarters in New York to the list of reforms which the U.S. should pursue; **Page 12984**

Kline amendment (no. 2 printed in subpart B of part 1 of H. Rept. 109–132) that requires that nothing in the title regarding peacekeeping operations shall be construed as superseding the Uniform Code of Military Justice or operating to affect the surrender of U.S. officials to a foreign country or international tribune; **Page 12985**

Smith of New Jersey amendment (no. 2 printed in subpart C of part 1 of H. Rept. 109–132) that calls for the International Atomic Energy Agency to rescind the Small Quantities Protocol; **Page 12989**

Markey amendment (no. 3 printed in subpart C of part 1 of H. Rept. 109–132) that calls for the President to direct the U.S. Permanent Representative to the IAEA to call for penalties to any State Member that violates or withdraws for the Nonproliferation Treaty by requiring them to return any nuclear materials or technology acquired for peaceful purposes; **Page 12990**

King of New York amendment (no. 1 printed in subpart A of part 1 of H. Rept. 109–132) that instructs the President to direct the U.S. Permanent Representative to the U.N. to use the voice, vote, and influence of the U.S. to ensure the Secretary General exercises the right and duty to waive immunity of any U.N. official who is under investigation for or is charged with committing a serious criminal offense (by a recorded vote of 405 ayes to 13 noes and 1 voting "present", Roll No. 270); **Pages 12979, 12992**

Poe amendment (no. 5 printed in subpart A of part 1 of H. Rept. 109–132) that requires the OMB to submit a report to the House International Relations Committee on the U.S. contributions to the U.N. (by a recorded vote of 402 ayes to 14 noes, Roll No. 271); and **Pages 12983, 12992**

Cantor amendment (no. 1 printed in subpart C of part 1 of H. Rept. 109–132) that directs the U.S. Permanent Representative to IAEA to ensure that the IAEA Board of Governors adopts a resolution making Iran ineligible to receive any nuclear material, technology, equipment, or assistance from any IAEA Members State until Iran is in full compliance with the IAEA (by a recorded vote of 411 ayes to 9 noes, Roll No. 272). **Pages 12988, 12993**

H. Res. 319, the rule providing for the consideration of the bill was agreed to by voice vote. **Page 12956**

Privileged Resolution: The House agreed to table H. Res. 324, relating to a question of the privileges of the House by a recorded vote of 222 ayes to 191 noes, Roll No. 273. **Page 12994**

Senate Message: Message received from the Senate today appears on page 12910.

Senate Referrals: S. 1140 was referred to the Committee on Transportation and Infrastructure. **Page 12910**

Quorum Calls—Votes: Two yea-and-nay votes and thirteen recorded votes developed during the proceedings of today and appear on pages 12948–56, 12992–94, and 13000. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 10:43 p.m.

Committee Meetings

REVIEW FOOD AID PROGRAMS

Committee on Agriculture: Subcommittee on Specialty Crops and Foreign Agriculture Programs held a hearing to Review Food Aid Programs. Testimony was heard from Kirk Miller, General Sales Manager Foreign Agriculture Service, USDA; William Garvelink, Acting Assistant Administrator, Bureau for Democracy, Conflict, Humanitarian Affairs, U.S. Agency for International Development, Department of State; and public witnesses.

LEGISLATIVE BRANCH AND DEPARTMENT OF LABOR, HHS, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS FISCAL YEAR 2006

Committee on Appropriations: Ordered reported the following appropriations for Fiscal Year 2006: Legislative Branch; and the Department of Labor, Health and Human Services, Education, and Related Agencies.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS FISCAL YEAR 2006

Committee on Appropriations: Subcommittee on Foreign Operations, Export Financing, and Related Programs approved for full Committee action the Foreign Operations, Export Financing, and Related Programs appropriations for Fiscal Year 2006.

HIGHER EDUCATION MEASURES

Committee on Education and the Workforce: Subcommittee on Select Education approved for full Committee action, as amended, the following bills: H.R. 509, International Studies in Higher Education Act of 2005; and H.R. 510, Graduate Opportunities in Higher Education Act of 2005.

SMART INSURANCE REFORM

Committee on Financial Services: Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises held a hearing entitled "SMART Insurance Reform." Testimony was heard from J. Michael Pickens, former Commissioner, Department of Insurance, State of Arkansas; Gregory V. Serio, former Superintendent, Department of Insurance, State of New York; Lee Covington, former Director, Department of Insurance, State of Ohio; Nathaniel S. Shapo, former Director, Department of Insurance, State of Illinois; and public witnesses.

U.S.–EU ECONOMIC RELATIONSHIP

Committee on Financial Services: Subcommittee on Domestic and International Monetary Policy, Trade, and Technology held a hearing entitled "The US–EU Economic Relationship: What Comes Next?" Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Government Reform: Ordered reported the following measures: H.R. 2829, amended, Office of National Drug Control Policy Reauthorization Act of 2005; H.R. 994, To amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums; H.R. 1283, amended, To provide that transit pass transportation fringe benefits be made available to all qualified Federal employees in the National Capital Region; to allow passenger carriers which are owned or leased by the Government to be used to transport Government employees between their place of employment and mass transit facilities; H.R. 1765, Generating Opportunity by Forgiving Educational Debt for Service Act of 2005; H.R. 2385, amended, To make permanent the authority of the Secretary of Commerce to conduct the quarterly financial report program; H. Con. Res. 71, Expressing the sense of Congress that there should be established a Caribbean-American Heritage Month; H. Con. Res. 160, Recognizing the historical significance of Juneteenth Independence Day, and expressing the sense of Congress that history should be regarded as a means for understanding the past and solving the challenges of the future; H.R. 2113, To designate the facility of the United States Postal Service located at 2000 McDonough Street in Joliet, Illinois, as the "John F. Whiteside Joliet Post Office Building"; H.R. 2183, To designate the facility of the United States Postal Service located at 567 Tompkins Avenue in Staten Island, New York, as the "Vincent Palladino Post Office"; H.R. 2346; To designate the facility of the United States Postal Service located at 105 NW Railroad Avenue in Hammond, Louisiana, as the "John J. Hainkel Post Office Building"; H.R. 2490, To designate the facility of the United States Postal Service located at 442 West Hamilton Street, Allentown, Pennsylvania, as the "Mayor Joseph S. Daddona Memorial Post Office"; and H.R. 2630, To redesignate the facility of the United States Postal Service located at 1927 Sangamon Avenue in Springfield, Illinois, as the "J.M. Dietrich Northeast Annex".

The Committee also approved a Report on The National Drug Control Strategy for 2005 and the National Drug Control Budget for Fiscal Year 2006.

REGISTERED TRAVELER IMPLEMENTATION

Committee on Homeland Security: Subcommittee on Economic Security, Infrastructure Protection, and Cybersecurity continued hearings entitled "The Promise of Registered Traveler, Part II." Testimony was heard from Thomas Blank, Acting Deputy Director, Transportation Security Administration, Department of Homeland Security.

BORDER SURVEILLANCE MISMANAGEMENT

Committee on Homeland Security: Subcommittee on Management, Integration, and Oversight held a hearing entitled "Mismanagement of the Border Surveillance System and Lessons for the New America's Shield Initiative." Testimony was heard from Joel S. Gallay, Deputy Inspector General, GSA; and public witnesses.

WILDLANDS PROJECT—IMPACTS OF ENVIRONMENTAL REGULATIONS ON ENERGY AND MINERAL REGULATIONS

Committee on Resources: Subcommittee on Energy and Mineral Resources held an oversight hearing entitled "Impacts of Environmental Regulations on Energy and Mineral Development: The Wildlands Project." Testimony was heard from public witnesses.

NUCLEAR FUEL REPROCESSING

Committee on Science: Subcommittee on Energy held a hearing on Nuclear Fuel Reprocessing. Testimony was heard from R. Shane Johnson, Acting Director, Office of Nuclear Energy, Science and Technology, Department of Energy; Phillip J. Finck, Deputy Associate Laboratory Director, Applied Science, Technology, and National Security, Argonne National Laboratory; and public witnesses.

WATER RESOURCES DEVELOPMENT ACT

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment approved for full Committee action, as amended, H.R. 2864, Water Resources Development Act of 2005.

VETERANS' MEASURES

Committee on Veterans' Affairs: Subcommittee on Disability Assistance and Memorial Affairs held a hearing to consider the following: a measure to amend the Servicemembers' Group Life Insurance (SGLI) program; a measure regarding the Traumatic Injury Protection provisions of Public Law 109–13; and H.R. 1618, Wounded Warrior Servicemembers' Group Disability Insurance Act of 2005. Testimony was heard from Representative Renzi; Thomas Lastowka, Director, Regional Office and Insurance Center, Department of Veterans Affairs; Steve Jones, Principal Deputy Assistant Secretary, Health Affairs, Department of Defense; representatives of veterans organizations; and public witnesses.

POST-ACUTE CARE

Committee on Ways and Means: Subcommittee on Health held a hearing on Post-Acute Care. Testimony was heard from Glenn M. Hackbarth, Chairman, Medicare Payment Advisory Commission; Marjorie Kanof, M.D., Managing Director, Health, GAO; Herb Kuhn, Director, Center for Medicare Management, Centers for Medicare and Medicaid Services, Department of Health and Human Services; and public witnesses.

SOCIAL SECURITY—PROTECTING AND STRENGTHENING

Committee on Ways and Means: Subcommittee on Social Security continued hearings on Protecting and Strengthening Social Security. Testimony was heard from Barbara Bovbjerg, Director, Education, Workforce, and Income Security, GAO; and public witnesses.

Hearings continue June 21.

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Friday, June 17, 2005

Senate

Chamber Action

The Senate was not in session today. It will next meet at 2 p.m. on Monday, June 20, 2005.

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Measures Introduced: 26 public bills, H.R. 2957–2982; 2 private bills, H.R. 2983–2984; and 3 resolutions, H. Con. Res. 181; and H. Res. 328–329 were introduced. **Page 13075**

Additional Cosponsors: **Page 13076**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Bonner to act as speaker pro tempore. **Page 13008**

Henry J. Hyde United Nations Reform Act of 2005: The House passed H.R. 2745, to reform the United Nations, by a recorded vote of 221 ayes to 184 noes, Roll No. 282. The bill was also considered yesterday, June 16. **Page 13009**

Adopted the amendment in the nature of a substitute recommended by the Committee on International Relations, now printed in the bill. **Page 13058**

Accepted:

Barton amendment (No. 2 printed in subpart E of part 1 of H. Rept. 109–132) that directs the Independent Oversight Board to review the Final Report of the Independent Inquiry Committee into the U.N. Oil-for-Food Program; **Page 13018**

Wilson amendment (No. 2 printed in part 2 of H. Rept. 109–132) that adds the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories to the list of entities which the Department of State is directed to review and report on in order to avoid duplicative efforts and funding; **Page 13023**

King of Iowa amendment (No. 3 printed in part 2 of H. Rept. 109–132) that prohibits the Secretary of State from making contributions to the U.N. Relief and Works Agency for Palestine Refugees in the Near East in an amount greater than the highest contribution to UNRWA made by an Arab country; **Page 13025**

McCotter amendment (No. 4 printed in part 2 of H. Rept. 109–132) that calls on U.S. Permanent Representatives to ensure full implementation of U.N. Security Council Resolution 1559; **Page 13026**

Ros-Lehtinen amendment (No. 6 printed in part 2 of H. Rept. 109–132) that calls for the establishment of a democracy fund to assist countries that respect and uphold human rights (agreed to extend the time for debate); **Page 13027**

Garrett amendment (No. 7 printed in part 2 of H. Rept. 109–132) that discourages the State Department from increasing the size of the U.N. Security Council if such an increase would diminish the U.S.'s influence on the Council; **Page 13029**

Garrett amendment (No. 8 printed in part 2 of H. Rept. 109–132) that directs the U.S. Permanent Representative to the U.N. to make every effort to enforce zero nominal growth in all assessed dues to the regular budget of the U.N.; **Page 13030**

Pearce amendment (No. 11 printed in part 2 of H. Rept. 109–132) that prohibits an employee from any U.N. entity, bureau, division, department, or specialized agency from having unauthorized contact, including business contact, with a Member State that is subject to U.N. sanctions; **Page 13034**

Royce amendment (No. 1 printed in subpart D of part 1 of H. Rept. 109–132) that adds an additional paragraph to the list of reforms in section 201(b) regarding human rights reforms (by a recorded vote of 373 ayes to 32 noes, Roll No. 274); **Pages 13012, 13050**

Fortenberry amendment (No. 2 printed in subpart D of part 1 of H. Rept. 109–132) that directs the U.S. Permanent Representative to the U.N. to use the voice, vote, and influence of the U.S. to make every effort to ensure the adoption and implementation of mechanisms regarding Member States engaged or complicit in acts of genocide, war crimes, or crimes against humanity (by a recorded vote of 375 ayes to 29 noes, Roll No. 275); **Pages 13013, 13051**

Flake amendment (No. 1 printed in subpart E of part 1 of H. Rept. 109–132) that creates a certification of U.N. cooperation that requires the U.N. to release documents that concern the Oil-for-Food Program; and to waive the immunity of U.N. officials from the judicial process in the U.S. for civil or criminal acts that transpired in the U.S. and in connection with the Oil-for-Food Program (by a recorded vote of 366 ayes to 38 noes, Roll No. 276); **Pages 13016, 13051**

Chabot amendment (No. 1 printed in part 2 of H. Rept. 109–132) that directs the U.S. ambassador to the U.N. to oppose anti-Semitic statements and anti-Israel resolutions in the U.N. (by a recorded vote of 405 ayes to 2 noes, Roll No. 277); and **Pages 13020, 13052**

Pence amendment (No. 5 printed in part 2 of H. Rept. 109–132) that requires that there be no more than five times difference in the levels of assessment among the permanent members of the U.N. Security Council (agreed that the amendment be considered out of the order specified in the rule) (by a recorded vote of 281 ayes to 126 noes, Roll No. 278). **Pages 13022, 13053**

Rejected:

Kucinich amendment (No. 10 printed in part 2 of H. Rept. 109–132) that sought to add "strengthening of international labor laws" as another U.N. reform; **Page 13032**

Gohmert amendment (No. 9 printed in part 2 of H. Rept. 109–132) that sought to prohibit U.S. assistance to a country that opposed the position of the U.S. in the U.N. (by a recorded vote of 108 ayes to 297 noes, Roll No. 279); **Pages 13031, 13053**

Stearns amendment (No. 12 printed in part 2 of H. Rept. 109–132) that sought to change the amount of regular U.S. dues withheld from 50% to 75% (by a recorded vote of 100 ayes to 306 noes, Roll No. 280); and **Pages 13035, 13054**

Lantos amendment in the nature of a substitute (No. 13 printed in part 2 of H. Rept. 109–132) that sought to make a number of changes to the bill (by a recorded vote of 190 ayes to 216 noes, Roll No. 281). **Pages 13036, 13055**

H. Res. 319, the rule providing for consideration of the bill was agreed to yesterday, June 16.

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday, June 20 for Morning Hour debate. **Page 13061**

Private Calendar: Agreed to dispense with the call of the Private Calendar on Tuesday, June 21. **Page 13061**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, June 22. **Page 13061**

Presidential Message: Read a message from the President wherein he notified the Congress of the continuation of the national emergency with respect to the large accumulation of a large volume of weapons-usable fissile material in the territory of the Russian Federation—referred to the Committee on International Relations and ordered printed (H. Doc. 109–35). **Page 13062**

Quorum Calls—Votes: Nine recorded votes developed during the proceedings of today and appear on pages 13050–55 and 13058. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 5:06 p.m.

Committee Meetings

No committee meetings were held.

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Monday, June 20, 2005

Senate

Chamber Action

Routine Proceedings, pages 13105–92

Measures Introduced: Six bills and three resolutions were introduced, as follows: S. 1268–1273, and S. Res. 176–178. **Page 13147**

Measures Passed:

United States-European Union Summit: Senate agreed to S. Res. 178, expressing the sense of the Senate regarding the United States-European Union Summit. **Page 13192**

Energy Policy Act: Senate resumed consideration of H.R. 6, to ensure jobs for our future with secure, affordable, and reliable energy, taking action on the following amendments proposed thereto: **Pages 13106, 13122**

Adopted:

Domenici (for Grassley/Baucus) Amendment No. 800, to amend the Internal Revenue Code of 1986 to provide energy policy tax incentives. **Page 13115**

Pending:

Wyden/Dorgan Amendment No. 792, to provide for the suspension of strategic petroleum reserve acquisitions. **Page 13106**

Voinovich Amendment No. 799, to make grants and loans to States and other organizations to strengthen the economy, public health, and environment of the United States by reducing emissions from diesel engines. **Pages 13110, 13122**

Martinez (for Nelson (FL)) Amendment No. 783, to strike the section providing for a comprehensive inventory of Outer Continental Shelf oil and natural gas resources. **Page 13122**

Schumer Amendment No. 805, to express the sense of the Senate regarding management of the Strategic Petroleum Reserve to lower the burden of gasoline prices on the economy of the United States and circumvent the efforts of OPEC to reap windfall profits. **Page 13129**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:45 a.m., on Tuesday, June 21, 2005; that there be 80 minutes of debate on Martinez (for Nelson (FL)) Amendment No. 783 (listed above), and the Senate then vote on, or in relation to the amendment with no second-degree amendments in order prior to the vote. **Page 13192**

Nomination Considered: Senate resumed consideration of the nomination of John Robert Bolton, of Maryland, to be Representative of the United States of America to the United Nations. **Page 13115**

During consideration of this nomination today, Senate also took the following actions:

Pursuant to the order of June 16, 2005, the motion to proceed to the motion to reconsider the failed cloture vote (taken on May 26, 2005) was agreed to, and the motion to reconsider was then agreed to. **Page 13122**

By 54 yeas to 38 nays (Ex. Vote No. 142), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate, upon reconsideration, rejected the motion to close further debate on the nomination. **Page 13122**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report of the continuation of the national emergency with respect to the risk of nuclear proliferation created by the accumulation of weapons-usable fissile material in the territory of the Russian Federation; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–13) **Page 13138**

Nominations Received: Senate received the following nominations:

Timothy Elliott Flanigan, of Virginia, to be Deputy Attorney General.

Sue Ellen Wooldridge, of Virginia, to be an Assistant Attorney General. **Page 13192**

Messages From the House: **Page 13138**

Measures Read First Time: **Page 13138**

Enrolled Bills Presented: **Page 13138**

Petitions and Memorials: **Page 13138**

Executive Reports of Committees: **Page 13147**

Additional Cosponsors: **Page 13147**

Statements on Introduced Bills/Resolutions: **Page 13149**

Additional Statements: **Page 13135**

Amendments Submitted: **Page 13156**

Notices of Hearings/Meetings: **Page 13192**

Record Votes: One record vote was taken today. (Total—142) **Page 13122**

Adjournment: Senate convened at 2 p.m., and adjourned at 7:59 p.m. until 9:45 a.m., on Tuesday, June 21, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 13192.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 11 public bills, H.R. 2986–2995, 3000; 6 private bills, H.R. 2996–2999, 3001–3002; and 4 resolutions, H. Con. Res. 182–183; and H. Res. 332–333 were introduced. **Page 13275**

Additional Cosponsors: **Page 13276**

Reports Filed: Reports were filed today as follows:

H.R. 2985, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2006 (H. Rept. 109–139);

H. Res. 330, providing for consideration of H.J. Res. 10, proposing an amendment to the Constitution of the United States authorizing the Congress to prohibit the physical desecration of the flag of the United States (H. Rept. 109–140); and H. Res. 331, providing for consideration of H.R. 2475, to authorize appropriations for fiscal year 2006 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System (H. Rept. 109–141). **Page 13275**

Speaker: Read a letter from the Speaker wherein he appointed Representative Fortenberry to act as speaker pro tempore for today. **Page 13193**

Chaplain: The prayer was offered today by Rev. Stan Scroggins, Associate Pastor, First Baptist Church in Magnolia, Arkansas. **Page 13193**

Recess: The House recessed at 12:36 p.m. and reconvened at 2 p.m. **Page 13193**

Board of Visitors to the U.S. Air Force Academy—Appointment: The Chair announced the Speaker's appointment of Representative Kilpatrick to the Board of Visitors to the U.S. Air Force Academy. **Page 13194**

Department of Defense Appropriations Act for FY 2006: The House passed H.R. 2863, making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, by a yea-and-nay vote of 398 yeas to 19 nays, Roll No. 287. **Page 13194**

Agreed to:

Kucinich amendment that reduces and then increases by the same amount, funding for Research, Development, Test, and Evaluation for the Army; **Page 13215**

Inslee amendment that changes language in section 9006, regarding funds for operation and maintenance; **Page 13228**

Markey amendment that prohibits the use of funds in contravention of laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; and **Page 13245**

Hunter amendment that replaces section 9012 regarding Religious Freedom and Tolerance at the U.S. Air Force Academy. **Pages 13230, 13252**

Rejected:

Obey amendment to the Hunter amendment that sought to restore language in the bill as originally reported by the Committee on Appropriations (by a recorded vote of 198 ayes to 210 noes, Roll No. 283); **Pages 13233, 13251**

Doggett amendment that sought to prohibit the use of funds for activities in Uzbekistan (by a recorded vote of 84 ayes to 329 noes, Roll No. 284); **Pages 13241, 13252**

DeFazio amendment (No. 8 printed in the Congressional Record of June 15) that sought to prohibit the use of funds to initiate military operations except in accordance with Article I, Section 8 of the Constitution (by a recorded vote of 136 ayes to 280 noes, Roll No. 285); and **Pages 13243, 13253**

Velázquez amendment that sought to prohibit the use of funds to carry out sections 701 through 722 of the Small Business Competitiveness Demonstration Program Act of 1988 (by a recorded vote of 180 ayes to 235 noes, Roll No. 286). **Pages 13245, 13254**

Withdrawn:

Jackson-Lee amendment (No. 9 printed in the Congressional Record of June 15) that was offered and subsequently withdrawn that sought to increase funding for military and reserve personnel for all branches of the Armed Forces; **Page 13208**

Spratt amendment that was offered and subsequently withdrawn that sought to increase funding for the Former Soviet Union Threat Reduction Account; and **Page 13211**

Jackson-Lee amendment (No. 13 printed in the Congressional Record of June 13) that was offered and subsequently withdrawn that sought to increase funding for the Iraq Freedom Fund and increases the amount appropriated for operations and maintenance that can be used to train and equip military and security forces in Iraq and Afghanistan and support U.S. military operations in those countries. **Page 13216**

Point of Order sustained against:

Kucinich amendment that sought to insert a new section at the end of Title VIII regarding the Space Preservation Act of 2005; **Page 13229**

Pelosi amendment that sought to add a new section at the end of Title IX regarding plans to withdraw U.S. Armed Forces from Iraq; and **Page 13239**

Obey amendment that sought to add a new section at the end of the bill regarding Federal deficit levels. **Page 13250**

H. Res. 315, the rule providing for consideration of the bill was agreed to on June 14.

Quorum Calls—Votes: One yea-and-nay vote and four recorded votes developed during the proceedings of today and appear on pages 13152–55. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 10:32 p.m.

Committee Meetings

HUMAN RIGHTS IN VIETNAM

Committee on International Relations: Subcommittee on Africa, Global Human Rights and International Operations held a hearing on Human Rights in Vietnam. Testimony was heard from public witnesses.

CONSTITUTIONAL AMENDMENT—PROHIBIT DESECRATION OF THE FLAG

Committee on Rules: The Committee granted, by voice vote, a structured rule providing 2 hours of debate in the House on H.J. Res. 10, Proposing an amendment to the Constitution of the United States authorizing the Congress to prohibit the physical desecration of the Flag of the United States, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the joint resolution. The rule makes in order the amendment in the nature of a substitute printed in the Rules Committee report accompanying the resolution, if offered by Representative Watt or his designee, which shall be separately debatable for one hour equally divided between the proponent and an opponent. The rule waives all points of order against the amendment printed in the report. The rule provides that, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the joint resolution to a time designated by the Speaker. The rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Sensenbrenner.

INTELLIGENCE AUTHORIZATION ACT FISCAL YEAR 2006

Committee on Rules: The Committee granted, by voice vote, a structured rule providing 1 hour of debate in the House on H.R. 2475, Intelligence Authorization Act for Fiscal Year 2006, equally divided and controlled by the chairman and ranking minority member of the Permanent Select Committee on Intelligence. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence now printed in the bill, modified by the amendment printed in Part A of the Rules Committee report accompanying the resolution, shall be considered as adopted and shall be considered as read. The rule makes in order the amendment printed in Part B of the Rules Committee report accompanying the resolution, if offered by Representative Maloney of New York or her designee, which shall be considered as read, and which shall be debatable for 30 minutes equally divided and controlled by the proponent and an opponent. The rule waives all points of order against the amendment printed in Part B of the report. The rule provides one motion to recommit with or without instructions.

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Tuesday, June 21, 2005

Senate

Chamber Action

Routine Proceedings, pages 13294–13405

Measures Introduced: Eleven bills were introduced, as follows: S. 1274–1284. **Page 13334**

Measures Passed:

INTELSAT: Senate passed S. 1282, to amend the Communications Satellite Act of 1962 to strike the privatization criteria for INTELSAT separated entities, remove certain restrictions on separated and successor entities to INTELSAT. **Page 13404**

Energy Policy Act: Senate continued consideration of H.R. 6, to ensure jobs for our future with secure, affordable, and reliable energy, taking action on the following amendments proposed thereto: **Page 13294**

Adopted:

By 66 yeas to 29 nays (Vote No. 144), Hagel Amendment No. 817, to provide for the conduct of activities that promote the adoption of technologies that reduce greenhouse gas intensity in the United States and in developing countries and to provide credit-based financial assistance and investment protection for projects that employ advanced climate technologies or systems in the United States. **Pages 13301, 13303**

DeWine/Kohl Amendment No. 788, to amend the Sherman Act to make oil-producing and exporting cartels illegal. **Page 13322**

By 92 yeas to 1 nay (Vote No. 145), Voinovich Amendment No. 799, to make grants and loans to States and other organizations to strengthen the economy, public health, and environment of the United States by reducing emissions from diesel engines. **Page 13324**

Rejected:

By 44 yeas to 52 nays (Vote No. 143), Martinez (for Nelson (FL)) Amendment No. 783, to strike the section providing for a comprehensive inventory of Outer Continental Shelf oil and natural gas resources. **Page 13294**

Withdrawn:

Dayton Amendment No. 790, to require that gasoline contain 10 percent ethanol by volume by 2015. **Page 13301**

Pending:

Wyden/Dorgan Amendment No. 792, to provide for the suspension of strategic petroleum reserve acquisitions. **Page 13294**

Schumer Amendment No. 805, to express the sense of the Senate regarding management of the Strategic Petroleum Reserve to lower the burden of gasoline prices on the economy of the United States and circumvent the efforts of OPEC to reap windfall profits. **Page 13294**

McCain/Lieberman Amendment No. 826, to provide for a program to accelerate the reduction of greenhouse gas emissions in the United States. **Page 13315**

Reid (for Lautenberg) Amendment No. 839, to require any Federal agency that publishes a science-based climate change document that was significantly altered at White House request to make an unaltered final draft of the document publicly available for comparison. **Page 13328**

A unanimous-consent-time agreement was reached providing that Senator Feinstein be recognized to offer an amendment relating to liquified natural gas; that there be 60 minutes equally divided for debate with no second-degree amendments in order prior to a vote in relation to the Feinstein amendment; that following debate on the Feinstein amendment, Senator Byrd be recognized to offer an amendment related to rural gas prices; that when the Senate resumes debate on the McCain/Lieberman Amendment No. 826 (listed above), there be three additional hours for debate with Senator McCain, or his designee, in control of 90 minutes, Senator Domenici in control of 30 minutes, and Senator Inhofe in control of the remaining 60 minutes, that following that debate, Senate vote in relation to the McCain/Lieberman Amendment No. 826 with no second-degree amendments in order prior to the vote. **Page 13328**

A motion was entered to close further debate on the bill and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, June 23, 2005. **Page 13329**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Wednesday, June 22, 2005. **Page 13405**

Messages From the House: **Page 13333**

Measures Referred: **Page 13333**

Measures Placed on Calendar: **Page 13333**

Executive Communications: **Page 13333**

Additional Cosponsors: **Page 13334**

Statements on Introduced Bills/Resolutions: **Page 13336**

Additional Statements: **Page 13332**

Amendments Submitted: **Page 13359**

Notices of Hearings/Meetings: **Page 13404**

Authority for Committees to Meet: **Page 13404**

Privilege of the Floor: **Page 13404**

Record Votes: Three record votes were taken today. (Total—145) **Pages 13300, 13315, 13326**

Adjournment: Senate convened at 9:45 a.m., and adjourned at 7:58 p.m. until 9:30 a.m., on Wednesday, June 22, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 13405.)

Committee Meetings

APPROPRIATIONS: COMMERCE/JUSTICE/SCIENCE

Committee on Appropriations: Subcommittee on Commerce, Justice, Science and Related Agencies approved for full Committee consideration H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, with an amendment in the nature of a substitute.

APPROPRIATIONS: AGRICULTURE PROGRAMS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, and Related Agencies approved for full Committee consideration H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, with an amendment in the nature of a substitute.

IED

Committee on Armed Services: Committee met in closed session to receive a briefing on the nature of the evolving Improvised Explosive Devices (IEDs) threat and the Department of Defense's approach to addressing this threat from General Richard A. Cody, USA, Vice Chief of Staff, United States Army, Brigadier General Joseph L. Votel, USA, Director, Joint IED Task Force, and Robert Buhrkuhl, Director of the Joint Rapid Acquisition Cell, all of the Department of Defense.

REGULATORY RELIEF

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine proposals to reduce unnecessary regulatory burden on depository institutions insured by the Federal Deposit Insurance Corporation, after receiving testimony from John M. Reich, Vice Chairman, Federal Deposit Insurance Corporation; Julie L. Williams, Acting Comptroller, Office of the Comptroller of the Currency, and Richard M. Riccobono Acting Director, Office of Thrift Supervision, both of the Department of the Treasury; Mark W. Olson, Member, Board of Governors of the Federal Reserve System; JoAnn M. Johnson, Chairman, National Credit Union Administration; Eric McClure, Missouri Division of Finance, Jefferson City, on behalf of the Conference of State Bank Supervisors; Steve Bartlett, Financial Services Roundtable, Carolyn Carter, National Consumer Law Center, and Travis Plunkett, Consumer Federation of America, all of Washington, D.C.; Arthur R. Connelly, South Shore Savings Bank, South Weymouth, Massachusetts, on behalf of the America's Community Bankers; Chris Loseth, Potlatch No. 1 Federal Credit Union, Lewiston, Idaho, on behalf of the Credit Union National Association, Inc.; David Hayes, Security Bank, Dyersburg, Tennessee, on behalf of the Independent Community Bankers of America; Edward Pinto, Courtesy Settlement Services LLC, Sarasota, Florida, on behalf of the National Federation of Independent Business; Bradley Rock, Bank of Smithtown, Smithtown, New York, on behalf of the American Bankers Association; Christopher A. Korst, Rent-A-Center, Inc., Plano, Texas; Eugene F. Maloney, Federated Investors, Inc., Pittsburgh, Pennsylvania; and Michael Vadala, The Summit Federal Credit Union, Rochester, New York.

DEEPWATER IMPLEMENTATION PLAN

Committee on Commerce, Science, and Transportation: Subcommittee on Fisheries and the Coast Guard concluded a hearing to examine the Coast Guard's revised deepwater implementation plan to secure America's waterways, focusing on preliminary observations on the condition of deepwater legacy assets and acquisition management challenges, after receiving testimony from Admiral Thomas H. Collins, Commandant, and Rear Admiral Patrick M. Stillman, Program Executive Officer, Deepwater Program, both of the U.S. Coast Guard, Department of Homeland Security; Margaret T. Wrightson, Director, Homeland Security and Justice, Government Accountability Office; and Ronald O'Rourke, Specialist in National Defense, Congressional Research Service, Library of Congress.

U.S.-RUSSIA POLICY

Committee on Foreign Relations: Committee concluded a hearing to examine the United States policy toward Russia, focusing on the fate of democracy, human rights, and the rule of law, energy issues, economic investment, and the spread of HIV/AIDS, receiving testimony from Patricia M. Cloherty, The U.S. Russia Investment Fund, New York, New York; Frank A. Verrastro and Celeste A. Wallander, both of the Center for Strategic and International Studies, Washington, D.C.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nomination of Larry Miles Dinger, of Iowa, to be Ambassador to the Republic of the Fiji Islands, and to serve concurrently and without additional compensation as Ambassador to the Republic of Nauru, the Kingdom of Tonga, Tuvalu, and the Republic of Kiribati; Joseph A. Mussomeli, of Virginia, to be Ambassador to the Kingdom of Cambodia; and Emil A. Skodon, of Illinois, to be Ambassador to Brunei Darussalam, after the nominees testified and answered questions in their own behalf.

JUVENILE DIABETES

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine issues relating to juvenile diabetes, focusing on the personal toll on families, financial costs to the Federal health care system, and research progress toward a cure, after receiving testimony from Allen M. Spiegel, Director, National Institute of Diabetes and Digestive and Kidney Diseases, National Institutes of Health, Department of Health and Human Services; Mary Tyler Moore, Juvenile Diabetes Research Foundation (JDRF), New York, New York; Douglas Wick, Red Wagon Entertainment, Los Angeles, California; Gary Hall, Jr., Miami, Florida; and certain representatives of the JDRF Children's Congress.

VOTING TECHNOLOGY

Committee on Rules and Administration: Committee concluded a hearing to examine the issue of voter verification in the Federal elections process, focusing on Direct Recording Electronic (DRE) voting machine security, and Voter Verifiable Paper Audit Trail (VVPAT), after receiving testimony from Senator Ensign; Conny McCormack, Los Angeles County Registrar Recorder, Norwalk, California; James C. Dickson, American Association of People with Disabilities, Washington, D.C.; David L. Dill, Stanford University Department of Computer Science, Stanford, California; and Ted Selker, Massachusetts Institute of Technology (MIT) Media Lab, Cambridge, on behalf of the Caltech/MIT Voting Technology Project.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 16 public bills, H.R. 3003–3009, 3011–3019; and 2 resolutions, H. Res. 335–336 were introduced. **Page 13500**

Additional Cosponsors: **Page 13501**

Reports Filed: Reports were filed today as follows:

H.R. 1492, to provide for the preservation of the historic confinement sites where Japanese Americans were detained during World War II, amended (H. Rept. 109–142);

H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006 (H. Rept. 109–143); and

H. Res. 334, providing for the consideration of H.R. 2985, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2006 (H. Rept. 109–144). **Page 13500**

Speaker: Read a letter from the Speaker wherein he appointed Representative McMorris to act as Speaker pro tempore for today. **Page 13406**

Recess: The House recessed at 9:09 a.m. and reconvened at 10 a.m. **Page 13407**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Recognizing the 100th anniversary of FarmHouse Fraternity, Inc.: H. Res. 207, recognizing the 100th anniversary of FarmHouse Fraternity, Inc.; **Page 13409**

Sense of the House in remembrance of the servicemen who perished in the April 24, 1980 rescue attempt of the American hostages in Iran: H. Res. 256, amended, expressing the sense of the House of Representatives in remembrance of the brave servicemen who perished in the disastrous April 24, 1980, rescue attempt of the American hostages in Iran; **Page 13411**

Agreed to amend the title so as to read: expressing the sense of the House of Representatives in remembrance of the members of the Armed Forces who perished in the April 24, 1980, rescue attempt of the American hostages being held in Iran and commending all special operations forces personnel currently in service. **Page 13414**

Approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003: H.J. Res. 52, approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, by a ⅔ yea-and-nay vote of 423 yeas to 2 nays, Roll No. 291; **Pages 13414, 13463**

Recognizing the historical significance of Juneteenth Independence Day: H. Con. Res. 160, recognizing the historical significance of Juneteenth Independence Day, and expressing the sense of Congress that history should be regarded as a means for understanding the past and solving the challenges of the future, by a ⅔ yea-and-nay vote of 425 yeas with none voting "nay", Roll No. 292; and **Pages 13418, 13463**

Supporting initiatives developed by the Firefighter Life Safety Summit: H. Con. Res. 180, to support initiatives developed by the Firefighter Life Safety Summit and the mission of the National Fallen Firefighters Foundation and the United States Fire Administration to reduce firefighter fatalities and injuries, to encourage implementation of the new "Everyone Goes Home" campaign to make firefighter safety a national priority, and to support the goals of the national "stand down" called by fire organizations. **Pages 13421, 13464**

Constitutional Amendment to Prohibit Flag Desecretion—Rule for Consideration: H. Res. 330, the rule providing for consideration of H.J. Res. 10, proposing an amendment to the Constitution of the United States authorizing the Congress to prohibit the physical desecretion of the flag of the United States, by voice vote. **Page 13425**

Intelligence Authorization Act for FY 2006: The House passed H.R. 2475, to authorize appropriations for fiscal year 2006 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, by a yea-and-nay vote of 409 yeas to 16 nays, Roll No. 290. **Page 13444**

Rejected the Waxman motion to recommit the bill to the Permanent Select Committee on Intelligence with instructions to report the bill back to the House forthwith with an amendment, by a yea-and-nay vote of 197 yeas to 228 nays, Roll No. 289. **Page 13458**

Adopted the amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence, as modified by the manager's amendment printed in part A of H. Rept. 109–141. **Page 13444**

Agreed to:

Maloney amendment (printed in part B of H. Rept. 109–141), as modified by unanimous consent agreement, that requires the President, if the National Counterterrorism Center is not fully operational by June 17, 2005, to provide Congress written justification as to why the Center is not fully operational. **Page 13456**

Agreed that the Clerk be authorized to make technical and conforming changes to reflect the actions of the House. **Page 13462**

H. Res. 331, the rule providing for consideration of the bill was agreed to by voice vote, after agreeing to order the previous question by a yea-and-nay vote of 224 yeas to 201 nays, Roll No. 288. **Page 13431**

Senate Message: Message received from the Senate today appears on page 13493.

Senate Referrals: S. 1282 was referred to the Committee on Energy and Commerce. **Page 13500**

Quorum Calls—Votes: Five yea-and-nay votes developed during the proceedings of today and appear on pages 13443 and 13461–64. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 10:15 p.m.

Committee Meetings

FOREIGN OPERATIONS/ TRANSPORTATION–TREASURY–HUD APPROPRIATIONS FISCAL YEAR 2006; SUBALLOCATIONS OF BUDGET ALLOCATIONS FISCAL YEAR 2006

Committee on Appropriations: Ordered reported the following appropriations for Fiscal Year 2006: the Foreign Operations, Export Financing, and Related Programs; and the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and Independent Agencies.

The Committee also approved revised 302(b) Suballocations of Budget Allocations for Fiscal Year 2006.

MARINE CORPS FORCE PROTECTION

Committee on Armed Services: Held a hearing to review Marine Corps force protection. Testimony was heard from the following officials of the U.S. Marine Corps, Department of the Navy: GEN William L. Nyland, USMC, Assistant Commandant; and BG William D. Catto, USMC, Commanding General, Marine Corps Systems Command.

U.N. OIL-FOR-FOOD PROGRAM

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "The United Nations Oil-For-Food Program: A Review of the 661 Sanctions Committee." Testimony was heard from Thomas A. Schweich, Chief of Staff, United States Mission to the United Nations, Department of State.

FAITH-BASED AND COMMUNITY INITIATIVE

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing entitled "Authorizing the President's Vision: Making Permanent The Faith-Based and Community Initiative—H.R. 1054, Tools for Community Initiatives Act." Testimony was heard from Representatives Green of Wisconsin and Scott of Virginia; David Kuo, former Deputy Director of the White House Faith-Based Initiative; Bobby Polito, former Director, Center for Faith-Based Community Initiatives, Department of Health and Human Services; and public witnesses.

IRAQ RECONSTRUCTION

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations held a hearing entitled "The Development Fund for Iraq: U.S. Management of Iraq Oil Proceeds and Compliance with U.N. Security Council Resolution 1483." Testimony was heard from the following officials of the Department of Defense: Stuart W. Bowen, Jr., Special Inspector General, Iraq Reconstruction; William Reed, Director, Defense Contract Audit Agency; COL Emmett H. Du Bose, Jr., Deputy Commander and Engineers, U.S. Army Corps of Engineers, Department of the Army; Joseph A. Benkert, Defense Reconstruction Support Office, Office of the Secretary; David Norquist, Under Deputy Secretary (Financial Management); and public witnesses.

OPEN-SOURCE INFORMATION—EFFECTIVE USE

Committee on Homeland Security: Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment held a hearing entitled "Using Open-Source Information Effectively." Testimony was heard from public witnesses.

NUCLEAR MATERIAL DETECTION TECHNOLOGY

Committee on Homeland Security: Subcommittee on Prevention of Nuclear and Biological Attack and the Subcommittee on Emergency Preparedness, Science, and Technology held a joint hearing entitled "Detecting Nuclear Weapons and Radiological Materials: How Effective Is Available Technology?" Testimony was heard from Gene Aloise, Director, Natural Resources and Environment, GAO; Vayl Oxford, Acting Director, Domestic Nuclear Detection Office, Department of Homeland Security; Michael K. Evenson, Acting Director, Combat Support Directorate, DTRA, Department of Defense; David Huizenga, Assistant Deputy Administrator, International Materials Protection and Cooperation, National Nuclear Security Administration, Department of Energy; Richard L. Wagner, Jr., Senior Staff Member, Los Alamos National Laboratory; and Bethann Ronney, Manager, Port Security, Port Authority of New York and New Jersey; and a public witness.

MISCELLANEOUS MEASURES

Committee on International Relations: Subcommittee on Europe and Emerging Threats approved for full Committee action the following measures: H. Res. 326, amended, Calling on free and fair parliamentary elections in the Republic of Azerbaijan; H. Res. 328, amended, Recognizing the 25th anniversary of the workers' strikes in Poland in 1980 that led to the establishment of the Solidarity Trade Union; and H. Con. Res. 155, Urging the Government of the Republic of Albania to ensure that the parliamentary elections to be held on July 3, 2005, are conducted in accordance with international standards for free and fair elections.

BRIEFING—MIDDLE EAST DEMOCRACY

Committee on International Relations: Subcommittee on the Middle East and Central Asia held a briefing on Democracy in the Middle East: Toward an Inter-Arab Democratic Charter. The Subcommittee was briefed by A.A. El-Eryani, former Prime Minister of Yemen.

OVERSIGHT—MUSIC LICENSING REFORM; FEDERAL CONSENT DECREE FAIRNESS ACT

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property held an oversight hearing on Copyright Office Views on Music Licensing Reform. Testimony was heard from Marybeth Peters, Register of Copyrights, Library of Congress.

The Subcommittee also held a hearing on H.R. 1229, Federal Consent Decree Fairness Act. Testimony was heard from Representative Blunt; David Goetz, Commissioner, Department of Finance and Administration, State of Tennessee; and public witnesses.

OVERSIGHT—WORKSITE ENFORCEMENT AND EMPLOYER SANCTIONS

Committee on the Judiciary: Subcommittee on Immigration, Border Security, and Claims held an oversight hearing on the Lack of Worksite Enforcement and Employer Sanctions. Testimony was heard from Richard M. Stana, Director, Homeland Security and Justice Issues, GAO; and public witnesses.

LEGISLATIVE BRANCH APPROPRIATIONS FISCAL YEAR 2006

Committee on Rules: Granted, by voice vote, a structured rule providing 1 hour of general debate on H.R. 2985, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2006, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. The rule provides that the bill shall be considered as read. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill). The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. The rule provides that the amendments printed in the report may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Jo Ann Davis of Virginia, Flake, Baird and Tierney.

VETERAN'S ACCESS TO CAPITAL

Committee on Small Business: Subcommittee on Regulatory Reform and Oversight held a hearing on Veteran's Access to Capital. Testimony was heard from Bill Elmore, Associate Administrator, Office of Veterans Business Development, SBA; Patrica Kerr, Veterans Ombudsman, State of Missouri; and public witnesses.

UNION SALTING

Committee on Small Business: Subcommittee on Workforce, Empowerment, and Government Programs held a hearing entitled "Union Salting—Organizing Against Small Business." Testimony was heard from Representative King of Iowa; and public witnesses.

OVERSIGHT—DEEPWATER IMPLEMENTATION

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation held an oversight hearing on Deepwater Implementation. Testimony was heard from VADM Thad W. Allen, USCG, Chief of Staff, U.S. Coast Guard, Department of Homeland Security.

OVERSIGHT—JUDICIARY'S SPACE NEEDS

Committee on Transportation and Infrastructure: Subcommittee on Economic Development, Public Buildings and Emergency Management held an oversight hearing on The Judiciary's Ability to Pay for Current and Future Space Needs. Testimony was heard from Mark Goldstein, Director, Physical Infrastructure Issues, GAO; F. Joseph Moravec, Commissioner, Public Buildings Service, GSA; the following officials of the Judicial Conference of the United States: Jane R. Roth, Judge, U.S. Court of Appeals, Third Circuit, Chairman Security and Facilities; and Leonidas Ralph Mecham, Director, Administrative Office of the United States Courts, Secretary to the Judicial Conference.

VETERANS MEDICAL CARE REVENUE ENHANCEMENT ACT OF 2005

Committee on Veterans' Affairs: Subcommittee on Oversight and Investigations approved for full Committee action H.R. 2988, Veterans Medical Care Revenue Enhancement Act of 2005.

SOCIAL SECURITY—PROTECTING AND STRENGTHENING

Committee on Ways and Means: Subcommittee on Social Security continued hearings on Protecting and Strengthening Social Security. Testimony was heard from Douglas Holtz-Eakin, Director, CBO; and public witnesses.

Hearings continue June 23.

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Wednesday, June 22, 2005

Senate

Chamber Action

Routine Proceedings, pages 13605–13839

Measures Introduced: Five bills and one resolution were introduced, as follows: S. 1285–1289, and S. Res. 179. **Page 13699**

Measures Reported:

S. 260, to authorize the Secretary of the Interior to provide technical and financial assistance to private landowners to restore, enhance, and manage private land to improve fish and wildlife habitats through the Partners for Fish and Wildlife Program, with amendments. (S. Rept. No. 109–86) **Page 13699**

Measures Passed:

Sigma Chi Fraternity Anniversary: Committee on the Judiciary was discharged from further consideration of H. Con. Res. 163, honoring the Sigma Chi Fraternity on the occasion of its 150th Anniversary, and the resolution was then agreed to. **Page 13836**

Congratulating Small Business Development Centers: Committee on Small Business and Entrepreneurship was discharged from further consideration of S. Res. 165, congratulating the Small Business Development Centers of the Small Business Administration on their 25 years of service to America's small business owners and entrepreneurs, and the resolution was then agreed to. **Page 13837**

National Time Out Day: Committee on Health, Education, Labor and Pensions was discharged from further consideration of S. Res. 40, supporting the goals and ideas of National Time Out Day to promote the adoption of the Joint Commission on Accreditation of Healthcare Organizations' universal protocol for preventing errors in the operating room, and the resolution was then agreed to. **Page 13837**

Massacre at Srebrenica: Committee on Foreign Relations was discharged from further consideration of S. Res. 134, expressing the sense of the Senate regarding the massacre at Srebrenica in July 1995, and the resolution was then agreed to. **Page 13838**

Patient Navigator Services: Committee on Health, Education, Labor and Pensions was discharged from further consideration of H.R. 1812, to amend the Public Health Service Act to authorize a demonstration grant program to provide patient navigator services to reduce barriers and improve health care outcomes, and the resolution was then agreed to. **Page 13839**

Energy Policy Act: Senate continued consideration of H.R. 6, to ensure jobs for our future with secure, affordable, and reliable energy, taking action on the following amendments proposed thereto: **Page 13606**

Adopted:

Byrd Amendment No. 869, to amend the Internal Revenue Code of 1986 to provide relief from high gas prices. **Page 13619**

Bingaman/Specter Modified Amendment No. 866, to express the sense of the Senate on climate change legislation. (By 44 yeas to 53 nays (Vote No. 149), Senate earlier failed to table the amendment.) **Page 13661**

Frist (for Obama) Amendment No. 978, to clarify the definition of coal to liquid fuel technology. **Page 13688**

Frist (for Hatch/Salazar) Amendment No. 979, to promote oil shale and tar sands development. **Page 13688**

Frist (for Jeffords) Amendment No. 818, to commission a study for the roof of the Dirksen Senate Office Building in a manner that facilitates the incorporation of energy efficient technology and amends the Master Plan for the Capitol complex. **Page 13686**

Frist (for Stabenow) Amendment No. 980, to require an investigation of gasoline prices. **Page 13688**

Frist (for Kohl) Amendment No. 981, require the Secretary and the Administrator for Small Business to coordinate assistance with the Secretary of Commerce for manufacturing related efforts. **Page 13688**

Frist (for Clinton/Allard) Amendment No. 835, to establish a National Priority Project Designation. **Page 13686**

Frist (for Murkowski) Amendment No. 787, to make Alaska Native Corporations eligible for renewable energy production incentives. **Page 13685**

Frist (for Voinovich/DeWine) Amendment No. 822, to promote fuel efficient engine technology for aircraft. **Page 13686**

Frist (for Alexander) Amendment No. 982, to require the Secretary to conduct a study of best management practices for energy research and development programs. **Page 13689**

Frist (for Jeffords) Amendment No. 983, to expand the types of qualified renewable energy facilities that are eligible for a renewable energy production incentive. **Page 13689**

Frist (for Dodd) Amendment No. 861, to require the Secretary to enter into a contract with the National Academy of Sciences to determine the effect of electrical contaminants on the reliability of energy production systems. **Page 13687**

Frist (for Dorgan) Amendment No. 850, to modify the section relating to the establishment of a National Power Plant Operations Technology and Education Center. **Page 13687**

Frist (for Cornyn) Amendment No. 984, to require the Secretary to establish a program of research, development, demonstration, and commercial application to maximize the productive capacity of marginal wells and reservoirs. **Page 13689**

Frist (for Levin) Amendment No. 864, to ensure that cost-effective procedures are used to fill the Strategic Petroleum Reserve. **Pages 13687, 13690**

Frist (for Pryor) Amendment No. 798, to require the submission of reports on the potential for biodiesel and hythane to be used as major, sustainable, alternative fuels. **Page 13685**

Frist (for Boxer) Amendment No. 870, to require the Federal Energy Regulatory Commission to complete its investigation and order refunds on the unjust and unreasonable rates charged to California during the 2000–2001 electricity crisis. **Page 13687**

Frist (for Levin) Amendment No. 927, to provide a budget roadmap for the transition from petroleum to hydrogen in vehicles by 2020. **Page 13687**

Frist (for Hutchison) Amendment No. 985, to make petroleum coke gasification projects eligible for certain loan guarantees. **Page 13689**

Frist (for Murkowski) Amendment No. 786, to make energy generated by oceans eligible for renewable energy production incentives and to modify the definition of the term "renewable energy" to include energy generated by oceans for purposes of the Federal purchase requirement. **Page 13685**

Frist (for Jeffords) Amendment No. 986, to authorize the Secretary of Energy to make grants to increase energy efficiency, promote siting or upgrading of transmission and distribution lines, and providing or modernizing electric facilities in rural areas. **Page 13689**

Frist (for Alexander) Amendment No. 987, to require the Secretary to conduct a study on passive solar technologies. **Page 13689**

Frist (for Harkin) Amendment No. 988, to require the Secretary to conduct a 3-year program of research, development, and demonstration on the use of ethanol and other low cost transportable renewable feedstocks as intermediate fuels for the safe, energy efficient, and cost-effective transportation of hyrdrogen. **Page 13690**

Frist (for Domenici) Amendment No. 989, to improve the bill. **Page 13690**

Frist (for Grassley/Baucus) Modified Amendment No. 933, to provide a manager's amendment. **Page 13688**

Rejected:

Feinstein Amendment No. 841, to prohibit the Commission from approving an application for the authorization of the siting, construction, expansion, or operation of facilities located onshore or in State waters for the import of natural gas from a foreign country or the export of natural gas to a foreign country without the approval of the Governor of the State in which the facility would be located. (By 52 yeas to 45 nays (Vote No. 146), Senate tabled the amendment.) **Page 13606**

Schumer Modified Amendment No. 805, to express the sense of the Senate regarding management of the Strategic Petroleum Reserve to lower the burden of gasoline prices on the economy of the United States and circumvent the efforts of OPEC to reap windfall profits. (By 57 yeas to 39 nays (Vote No. 147), Senate tabled the amendment.) **Pages 13606, 13620, 13621**

By 38 yeas to 60 nays (Vote No. 148), McCain/Lieberman Modified Amendment No. 826, to provide for a program to accelerate the reduction of greenhouse gas emissions in the United States. **Pages 13606, 13623**

By 32 yeas to 63 nays (Vote No. 150), Alexander Amendment No. 961, to provide for local control for the siting of windmills. **Pages 13666, 13676**

By 46 yeas to 49 nays (Vote No. 151), Kerry Amendment No. 844, to express the sense of the Senate regarding the need for the United States to address global climate change through comprehensive and cost-effective national measures and through the negotiation of fair and binding international commitments under the United Nations Framework Convention on Climate Change. **Pages 13670, 13676**

Withdrawn:

Warner Amendment No. 972, to provide for gas-only leases and State requests to examine energy areas on the Outer Continental Shelf. **Page 13677**

Pending:

Wyden/Dorgan Amendment No. 792, to provide for the suspension of strategic petroleum reserve acquisitions. **Page 13606**

Reid (for Lautenberg) Amendment No. 839, to require any Federal agency that publishes a science-based climate change document that was significantly altered at White House request to make an unaltered final draft of the document publicly available for comparison. **Pages 13606, 13675**

Schumer Amendment No. 811, to provide for a national tire fuel efficiency program. **Page 13621**

A unanimous-consent agreement was reached providing that not withstanding the provisions of Rule 22, the filing deadline for second-degree amendments occur at 9:45 a.m., on Thursday, June 23, 2005 **Page 13839**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9 a.m., on Thursday, June 23, 2005, with a vote on the motion to invoke cloture to occur at 10 a.m. **Page 13839**

Messages From the House: **Page 13698**

Measures Referred: **Page 13698**

Measures Placed on Calendar: **Page 13698**

Executive Communications: **Page 13698**

Executive Reports of Committees: **Page 13699**

Additional Cosponsors: **Page 13700**

Statements on Introduced Bills/Resolutions: **Page 13701**

Additional Statements: **Page 13696**

Amendments Submitted: **Page 13706**

Notices of Hearings/Meetings: **Page 13835**

Authority for Committees to Meet: **Page 13835**

Privilege of the Floor: **Page 13836**

Record Votes: Six record votes were taken today. (Total—151) **Pages 13618, 13623, 13657, 13665, 13676–77**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 10:21 p.m. until 9 a.m., on Thursday, June 23, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 13839.)

Committee Meetings

NOMINATION

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine the nomination of Richard A. Raymond, of Nebraska, to be Under Secretary of Agriculture for Food Safety, after the nominee, who was introduced by Senator Hagel, testified and answered questions in his own behalf.

USDA LIVESTOCK REPORTING

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine the Livestock Mandatory Reporting Act of 1999, focusing on the reporting program that requires large packers and importers to report to USDA the details of their transactions involving purchases of livestock, as well as sales of boxed beef, boxed lamb, lamb carcasses, and imported lamb cuts, after receiving testimony from Kenneth C. Clayton, Acting Administrator, Agricultural Marketing Service, Marketing and Regulatory Programs, Department of Agriculture; Harold Hommes, Iowa Department of Agriculture and Land Stewardship, Windsor Heights; Jon Caspers, Pleasant Valley Pork Corporation, Swaledale, Iowa, on behalf of the National Pork Producers Council; J. Patrick Boyle, American Meat Institute, Washington, D.C.; and James G. Robb, Livestock Marketing Information Center, Lakewood, Colorado.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the nominations of Ronald E. Neumann, of Virginia, to be Ambassador to the Islamic Republic of Afghanistan, Gregory L. Schulte, of Virginia, to be U.S. Representative to the Vienna Office of the United Nations, with the rank of Ambassador, and to be U.S. Representative to the International Atomic Energy Agency, with the rank of Ambassador, Michael E. Hess, of New York, to be an Assistant Administrator of the United States Agency for International Development in the Bureau of Democracy, Conflict and Humanitarian Assistance, Dina Habib Powell, of Texas, to be Assistant Secretary of State for Educational and Cultural Affairs, Larry Miles Dinger, of Iowa, to be Ambassador to the Republic of the Fiji Islands, and to serve concurrently and without additional compensation as Ambassador to the Republic of Nauru, the Kingdom of Tonga, Tuvalu, and the Republic of Kiribati, Joseph A. Mussomeli, of Virginia, to be Ambassador to the Kingdom of Cambodia, and Emil A. Skodon, of Illinois, to be Ambassador to Brunei Darussalam.

BUSINESS MEETING

Committee on Homeland Security and Governmental Affairs: Committee ordered favorably reported the following business items:

S. 662, to reform the postal laws of the United States, with an amendment in the nature of a substitute;

S. 457, to require the Director of the Office of Management and Budget to issue guidance for, and provide oversight of, the management of micropurchases made with Governmentwide commercial purchase cards, with amendments;

S. 611, to establish a Federal Interagency Committee on Emergency Medical Services and a Federal Interagency Committee on Emergency Medical Services Advisory Council;

S. 37, to extend the special postage stamp for breast cancer research for 2 years;

H.R. 1460, to designate the facility of the United States Postal Service located at 6200 Rolling Road in Springfield, Virginia, as the "Captain Mark Stubenhofer Post Office Building";

S. 590 and H.R. 1236, bills to designate the facility of the United States Postal Service located at 750 4th Street in Sparks, Nevada, as the "Mayor Tony Armstrong Memorial Post Office";

S. 571, to designate the facility of the United States Postal Service located at 1915 Fulton Street in Brooklyn, New York, as the "Congresswoman Shirley A. Chisholm Post Office Building";

S. 892 and H.R. 324, bills to designate the facility of the United States Postal Service located at 321 Montgomery Road in Altamonte Springs, Florida, as the "Arthur Stacey Mastrapa Post Office Building";

S. 867 and H.R. 289, bills to designate the facility of the United States Postal Service located at 8200 South Vermont Avenue in Los Angeles, California, as the "Sergeant First Class John Marshall Post Office Building";

S. 1207 and H.R. 120, bills to designate the facility of the United States Postal Service located at 30777 Rancho California Road in Temecula, California, as the "Dalip Singh Saund Post Office Building";

S. 775, to designate the facility of the United States Postal Service located at 123 W. 7th Street in Holdenville, Oklahoma, as the "Boone Pickens Post Office";

S. 1206 and H.R. 504, bills to designate the facility of the United States Postal Service located at 4960 West Washington Boulevard in Los Angeles, California, as the "Ray Charles Post Office Building";

H.R. 1001, to designate the facility of the United States Postal Service located at 301 South Heatherwilde Boulevard in Pflugerville, Texas, as the "Sergeant Byron W. Norwood Post Office Building";

H.R. 1072, to designate the facility of the United States Postal Service located at 151 West End Street in Goliad, Texas, as the "Judge Emilio Vargas Post Office Building";

S. 904, to designate the facility of the United States Postal Service located at 1560 Union Valley Road in West Milford, New Jersey, as the "Brian P. Parrello Post Office Building";

H.R. 1542, to designate the facility of the United States Postal Service located at 695 Pleasant Street in New Bedford, Massachusetts, as the "Honorable Judge George N. Leighton Post Office Building";

H.R. 1082, to designate the facility of the United States Postal Service located at 120 East Illinois Avenue in Vinita, Oklahoma, as the "Francis C. Goodpaster Post Office Building";

H.R. 1524, to designate the facility of the United States Postal Service located at 12433 Antioch Road in Overland Park, Kansas, as the "Ed Eilert Post Office Building";

H.R. 627, to designate the facility of the United States Postal Service located at 40 Putnam Avenue in Hamden, Connecticut, as the "Linda White-Epps Post Office";

H.R. 2326, to designate the facility of the United States Postal Service located at 614 West Old County Road in Belhaven, North Carolina, as the "Floyd Lupton Post Office"; and

The nominations of Linda Morrison Combs, of North Carolina, to be Controller, Office of Federal Financial Management, Office of Management and Budget, Linda M. Springer, of Pennsylvania, to be Director of the Office of Personnel Management, Laura A. Cordero, to be an Associate Judge of the Superior Court of the District of Columbia, and A. Noel Anketell Kramer, to be an Associate Judge of the District of Columbia Court of Appeals.

TRIBAL LOBBYING MATTERS

Committee on Indian Affairs: Committee held an oversight hearing to examine the In Re Tribal Lobbying Matters, et al., receiving testimony from Charlie Ben, Donald Kilgore, and Nell Rogers, all of the Mississippi Band of Choctaw Indians, Choctaw; Amy Moritz Ridenour, National Center for Public Policy Research, Washington, D.C.; and certain protected witnesses.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 23 public bills, H.R. 3020–3042; and 4 resolutions, H. Con. Res. 184–187 were introduced. **Page 13601**

Additional Cosponsors: **Page 13602**

Reports Filed: Reports were filed today as follows:

Report on the Revised Suballocation of Budget Allocations for Fiscal Year 2006 (H. Rept. 109–145);

H.R. 1316, to amend the Federal Election Campaign Act of 1971 to repeal the limit on the aggregate amount of campaign contributions that may be made by individuals during an election cycle, to repeal the limit on the amount of expenditures political parties may make on behalf of their candidates in general elections for Federal office, to allow State and local parties to make certain expenditures using nonfederal funds, to restore certain rights to exempt organizations under the Internal Revenue Code of 1986, amended (H. Rept. 109–146);

H.R. 1158, to reauthorize the Steel and Aluminum Energy Conservation and Technology Competitiveness Act of 1988 (H. Rept. 109–147); and

H. Res. 337, a resolution providing for consideration of the bill (H.R. 3010) making appropriations for the Departments of Labor, Health, and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes (H. Rept. 109–148). **Page 13601**

Chaplain: The prayer was offered today by Rev. Dr. Richard LaPehn, Pastor, Milton Presbyterian Church in Rittman, Ohio. **Page 13513**

Constitutional Amendment to Prohibit Flag Desecration: The House agreed to H.J. Res. 10, proposing an amendment to the Constitution of the United States authorizing the Congress to prohibit the physical desecration of the flag of the United States, by a ⅔ yea and nay vote of 286 yeas to 130 nays, Roll No. 296. **Page 13518**

Agreed to table the appeal of a point of order sustained against the Taylor of Mississippi motion to recommit the bill to the Committee on the Judiciary with instructions to report the bill back to the House forthwith with amendments, by a recorded vote of 222 ayes to 194 noes, Roll No. 294. **Page 13539**

Agreed to table the appeal of a point of order sustained against the Taylor of Mississippi motion to recommit the bill to the Committee on the Judiciary with instructions to report the bill back to the House forthwith with amendments, by a recorded vote of 222 ayes to 190 noes, Roll No. 295. **Page 13540**

Rejected:

Watt amendment in the nature of a substitute (printed in H. Rept. 109–140) that sought to require that any statute enacted by the Congress pursuant to the proposed Constitutional Amendment must be consistent with the First Amendment to the U.S. Constitution (by a recorded vote of 129 yeas to 279 nays, Roll No. 293. **Page 13534**

H. Res. 330, the rule providing for consideration of the measure was agreed to yesterday, June 21.

Legislative Branch Appropriations Act for FY 2006: The House passed H.R. 2985, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2006, by a yea and nay vote of 330 yeas to 82 nays, Roll No. 303. **Page 13549**

Rejected the Obey motion to recommit the bill to the Committee on Appropriations, by a recorded vote of 180 ayes to 232 noes, Roll No. 302. **Page 13578**

Agreed to:

Flake amendment (No. 3 printed in H. Rept. 109–144) that reduces the GPO Congressional Printing and Binding budget to reduce the number of Congressional Records printed each day. **Page 13573**

Rejected:

McHenry amendment (No. 4 printed in H. Rept. 109–144) that sought to increase funding for general expenses of the Capitol Police; **Page 13574**

Baird amendment (No. 1 printed in H. Rept. 109–144) that sought to strike Title III, relating to Continuity in Representation (by a recorded vote of 143 ayes to 268 noes, Roll No. 299); **Pages 13568, 13576**

Jo Ann Davis of Virginia amendment (No. 2 printed in H. Rept. 109–144) that sought to strike the language in the bill prohibiting the Capitol Police from operating a mounted horse unit, and requiring the transfer of the current horses and equipment to the U.S. Park Police (by a recorded vote of 185 ayes to 226 noes, Roll No. 300); and **Pages 13571, 13576**

Hefley amendment (No. 5 printed in H. Rept. 109–144) that sought to reduce overall appropriations in the bill by 1 percent (by a recorded vote of 114 ayes to 294 noes, Roll No. 301). **Pages 13575, 13577**

H. Res. 334, the rule providing for consideration of the bill was agreed to by a recorded vote of 220 ayes to 192 noes, Roll No. 298, after agreeing to order the previous question by a yea and nay vote of 219 yeas to 196 nays, Roll No. 297. **Page 13543**

Quorum Calls—Votes: Four yea and nay votes and seven recorded votes developed during the proceedings of today and appear on pages 13538–43, 13548–49, and 13576–79. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 10:13 p.m.

Committee Meetings

USDA FOREST SERVICE CENTENNIAL

Committee on Agriculture: Held a hearing to Review the Centennial of the USDA Forest Service. Testimony was heard from Dale Bosworth, Chief, Forest Service, USDA; and public witnesses.

U.S. COAST GUARD, DEEPWATER PROGRAM

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on U.S. Coast Guard, Deepwater Program. Testimony was heard from the following officials of the U.S. Coast Guard, Department of Homeland Security: ADM Thomas Collins, Commandant, U.S. Coast Guard; and RADM Patrick Stillman, USCG, Executive Officer, Deepwater Program.

U.N. TASK FORCE

Committee on Appropriations: Subcommittee on Science, The Departments of State, Justice, and Commerce, and Related Agencies held a hearing on the United Nations Task Force. Testimony was heard from the following Co-Chairs of the Task Force on the United Nations: former Senator George Mitchell of Maine; and former Speaker of the House Newt Gingrich of Georgia; and Philo Dibble, Acting Assistant Secretary, International Organizations, Department of State.

AFGHANISTAN: OPERATIONS AND RECONSTRUCTION

Committee on Armed Services: Held a hearing on Afghanistan: Operations and Reconstruction. Testimony was heard from the following officials of the Department of Defense: Peter Rodman, Assistant Secretary, International Security Affairs; and LTG Walter Sharp, USA, Director, Strategic Plans and Policy, J–5, The Joint Staff; and Nancy Powell, Assistant Secretary, International Narcotics and Law Enforcement Affairs, Department of State.

BUDGET PROCESS

Committee on the Budget: Held a hearing on Budgeting in the Congress, Reflections on How the Budget Process Functions. Testimony was heard from former Representative Bill Frenzel of Minnesota; and public witnesses.

PENSION PROTECTION ACT OF 2005

Committee on Education and the Workforce: Subcommittee on Employer-Employee Relations approved for full Committee action, as amended, H.R. 2830, Pension Protection Act of 2005.

NATIONAL ALL SCHEDULES PRESCRIPTION ELECTRONIC REPORTING ACT OF 2005; MEDICAID PRESCRIPTION DRUGS

Committee on Energy and Commerce: Subcommittee on Health approved for full Committee action, as amended, H.R. 1132, National All Schedules Prescription Electronic Reporting Act of 2005.

The Subcommittee also held a hearing entitled "Medicaid Prescription Drugs: Examining Options for Payment Reform." Testimony was heard from Douglas Holtz-Eakin, Director, CBO; Kathy King, Director, Health Care, GAO; and public witnesses.

COMBATING TRAFFICKING IN PERSONS

Committee on Financial Services: Subcommittee on Domestic and International Monetary Policy, Trade, and Technology held a hearing entitled "Combating Trafficking in Persons: An International Perspective." Testimony was heard from public witnesses.

FEDERAL REAL PROPERTY MANAGEMENT

Committee on Government Reform: Held a hearing entitled "Wasted Space, Wasted Dollars: The Need for Federal Real Property Management Reform." Testimony was heard from Clay Johnson, Deputy Director, Management, OMB; and David M. Walker, Comptroller General, GAO.

REPORT—CITIZENS GUIDE USING FREEDOM OF INFORMATION ACT AND PRIVACY ACT TO REQUEST GOVERNMENT RECORDS; FEDERAL FINANCIAL MANAGEMENT

Committee on Government Reform: Subcommittee on Government Management, Finance, and Accountability approved for full Committee action a report entitled "A Citizens Guide on Using the Freedom of Information Act and the Privacy Act of 1974 to Request Government Records."

The Subcommittee also held a hearing entitled "The Evolution of Federal Financial Management—A Review of the Need to Consolidate, Simplify, and Streamline." Testimony was heard from public witnesses.

BORDER SECURITY/BIOMETRIC PASSPORTS

Committee on Homeland Security: Subcommittee on Economic Security, Infrastructure, Protection, and Cybersecurity held a hearing entitled "Ensuring the Security of America's Borders through the Use of Biometric Passports and Other Identity Documents." Testimony was heard from Elaine Dezenski, Acting Assistant Secretary, Directorate for Border and Transportation Security, Department of Homeland Security; Frank Moss, Deputy Assistant Secretary, Consular Affairs, Department of State; Martin Herman, Information Access Division Chief, National Institute of Standards and Technology, Department of

Commerce; Gregory Wilshusen, Director, Information Security Issues, GAO; and a public witness.

RESOLUTION—URGING ALBANIA TO ENSURE PARLIAMENTARY FAIR AND FREE ELECTIONS; SUDAN—CONSOLIDATING PEACE—CONFRONTING GENOCIDE

Committee on International Relations: Approved a motion urging the Chairman to request that the following resolution be placed on the Suspension Calendar: H. Con. Res. 155, Urging the Government of the Republic of Albania to ensure that the parliamentary elections to be held on July 3, 2005, are conducted in accordance with international standards for free and fair elections.

The Committee also held a hearing on Sudan: Consolidating Peace While Confronting Genocide. Testimony was heard from Robert B. Zoellick, Deputy Secretary, Department of State.

EU CONSTITUTION AND U.S.-EU RELATIONS

Committee on International Relations: Subcommittee on Europe and Emerging Threats held a hearing on The EU Constitution and U.S.-EU Relations: The Recent Referenda in France and the Netherlands and the U.S.-EU Summit. Testimony was heard from John Bruton, Head, Delegation of the European Commission; Arlette Conzemius, Ambassador of Luxembourg.

WATER SUPPLY RELIABILITY

Committee on Resources: Subcommittee on Water and Power held an oversight hearing entitled "Environmental Regulations and Water Supply Reliability." Testimony was heard from public witnesses.

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES APPROPRIATIONS, FY 2006

Committee on Rules: Granted, by voice vote, an open rule providing for consideration of H.R. 3010, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes. The rule provides one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. Under the rules of the House the bill shall be read for amendment by paragraph. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting appropriations or legislative provisions in an appropriations bill), except as specified in the resolution. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Regula.

WATER RESOURCES DEVELOPMENT ACT OF 2005

Committee on Transportation and Infrastructure: Ordered reported, as amended, H.R. 2864, Water Resources Development Act of 2005.

OVERSIGHT—AIRLINE PENSIONS

Committee on Transportation and Infrastructure: Subcommittee on Aviation held an oversight hearing on Airline Pensions: Avoiding Further Collapse. Testimony was heard from JayEtta Z. Hecker, Director, Physical Infrastructure Issues, GAO; and Bradley D. Belt, Executive Order, Pension Benefit Guaranty Corporation.

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Thursday, June 23, 2005

Senate

Chamber Action

Routine Proceedings, pages 13965–14093

Measures Introduced: Twenty bills and two resolutions were introduced, as follows: S. 1290–1309, and S. Res. 180–181. **Page 14093**

Measures Reported: S. 335, to reauthorize the Congressional Award Act. (S. Rept. No. 109–87)

H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, with an amendment in the nature of a substitute. (S. Rept. No. 109–88) **Page 14058**

Measures Passed:

Forest Service Anniversary: Senate agreed to S. Res. 181, recognizing July 1, 2005 as the 100th Anniversary of the Forest Service. **Page 14092**

Capitol Visitors Center: Committee on Rules and Administration was discharged from further consideration of S. Res. 179, to provide for oversight over the Capitol Visitors Center by the Architect of the Capitol, and the resolution was then agreed to. **Page 14092**

Energy Policy Act: Senate completed consideration of H.R. 6, to ensure jobs for our future with secure, affordable, and reliable energy, after taking action on the following amendments proposed thereto: **Page 13966**

Adopted:

Domenici Amendment No. 891, to modify the section relating to the coastal impact assistance program. **Page 13972**

By 52 yeas to 46 nays (Vote No. 154), Schumer Amendment No. 810, to strike a provision relating to medical isotope production. **Pages 14003, 14010**

Kyl Modified Amendment No. 990, to provide for a study relative to medical isotope production. **Page 14013**

Talent/Johnson Amendment No. 819, to increase the allowable credit for fuel use under the alternatively fueled vehicle purchase requirement. **Page 14026**

By 64 yeas to 31 nays (Vote No. 156), Bond/Levin Amendment No. 925, to impose additional requirements for improving automobile fuel economy and reducing vehicle emissions. **Pages 14014, 14027**

Schumer Amendment No. 811, to provide for a national tire fuel efficiency program. **Page 14028**

Craig (for Jeffords) Modified Amendment No. 832, to require the Secretary of the Interior to consult with the Administrator of the Environmental Protection Agency in the conduct of a coal bed methane study. **Page 14028**

Craig (for Reid/Ensign) Modified Amendment No. 871, to provide whistleblower protection for contract and agency employees at the Department of Energy. **Page 14028**

Craig (for Cochran) Modified Amendment No. 886, to include waste-derived ethanol and biodiesel in a definition of biodiesel. **Page 14028**

Craig (for Enzi) Modified Amendment No. 899, to establish procedures for the reinstatement of leases terminated due to unforeseeable circumstances. **Page 14028**

Craig (for Obama) Amendment No. 808, to establish a program to develop Fischer-Tropsch transportation fuels from Illinois basin coal. **Page 14028**

Craig (for Kerry) Amendment No. 825, to establish a 4-year pilot program to provide emergency relief to small business concerns affected by a significant increase in the price of heating oil, natural gas, propane, gasoline, or kerosene. **Page 14029**

Craig (for Inhofe) Modified Amendment No. 940, to provide for the control of hazardous air pollutants from motor vehicles and motor vehicle fuels. **Page 14030**

Craig (for Domenici/Bingaman) Amendment No. 1005, to make a technical correction. **Page 14030**

Craig (for Vitter) Amendment No. 1006, to require the Secretary to carry out a study and compile exisiting science to determine the risks or benefits presented by cumulative impacts of multiple offshore liquefied natural gas facilities reasonably assumed to be constructed in an area of the Gulf of Mexico using the open-rack vaporization system. **Page 14030**

Craig (for Byrd) Amendment No. 1007, to improve the clean coal power initiative. **Page 14030**

Craig (for Cantwell) Amendment No. 1008, to clarify provisions regarding relief for extraordinary violations. **Page 14030**

Craig (for Grassley/Baucus) Amendment No. 1009, to provide a Manager's amendment. **Page 14031**

Craig (for Obama) Modified Amendment No. 851, to require the Secretary to establish a Joint Flexible Fuel/Hybrid Vehicle Commercialization Initiative. **Page 14030**

Craig (for Salazar) Modified Amendment No. 892, to provide for the Western Integrated Coal Gasification Demonstration Project. **Page 14030**

Craig (for Durbin) Modified Amendment No. 903, to provide that small businesses are eligible to participate in the Next Generation Lighting Initiative. **Page 14030**

Craig (for Harkin) Modified Amendment No. 919, to enhance the national security of the United States by providing for the research, development, demonstration, administrative support, and market mechanisms for widespread deployment and commercialization of biobased fuels and biobased products. **Page 14031**

Craig (for Snowe) Amendment No. 834, to provide for understanding of and access to procurement opportunities for small businesses with regard to Energy Star technologies and products. **Page 14031**

Rejected:

By 21 yeas to 76 nays (Vote No. 155), Sununu/Wyden Amendment No. 873, to strike the title relating to incentives for innovative technologies. **Pages 14007, 14012**

By 28 yeas to 67 nays (Vote No. 157), Durbin Amendment No. 902, to amend title 49, United States Code, to improve the system for enhancing automobile fuel efficiency. **Pages 14015, 14027**

Withdrawn:

Wyden/Dorgan Amendment No. 792, to provide for the suspension of strategic petroleum reserve acquisitions. **Page 14031**

During consideration of this measure today, Senate also took the following action:

By 92 yeas to 4 nays (Vote No. 152), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the bill. **Page 13971**

Chair sustained a point of order that Reid (for Lautenberg) Amendment No. 839, to require any Federal agency that publishes a science-based climate change document that was significantly altered at White House request to make an unaltered final draft of the document publicly available for comparison, was not germane, and the amendment thus fell. **Page 13972**

By 69 yeas to 26 nays (Vote No. 153), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Domenici Amendment No. 891, to modify the section relating to the coastal impact assistance program. Subsequently, the point of order that the amendment would cause the underlying bill to exceed the subcommittee section 302(B) allocation was not sustained. **Page 13996**

A unanimous-consent agreement was reached providing for the vote on final passage of the bill to occur at 9:45 a.m., on Tuesday, June 28, 2005, with paragraph 4 of Rule 12 waived. **Page 14048**

Interior Appropriations—Agreement: A unanimous-consent agreement was reached providing that on Friday, June 24, 2005 at a time determined by the Majority Leader, after consultation with the Democratic Leader, Senate begin consideration of H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006; that the committee substitute be agreed to and considered as original text for the purpose of further amendment, with no points of order waived; provided further that all first-degree amendments be offered on Friday, June 24, and Monday, June 27, 2005. **Page 14092**

Messages From the President: Senate received the following messages from the President of the United States:

Transmitting, pursuant to law, the legislation and supporting documents to implement the United States-Dominican Republic-Central American Free Trade Agreement; which was referred to the Committee on Finance. (PM–14) **Page 14057**

Transmitting, pursuant to law, a report on the continuation of the national emergency with respect to the extremist violence in Macedonia and the Western Balkans region; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–15) **Page 14057**

Nominations Received: Senate received the following Nominations:

Granta Y. Nakayama, of Virginia, to be an Assistant Administrator of the Environmental Protection Agency.

Kent R. Hill, of Virginia, to be an Assistant Administrator of the United States Agency for International Development.

Colleen Duffy Kiko, of Virginia, to be General Counsel of the Federal Labor Relations Authority for a term of five years.

Mary M. Rose, of North Carolina, to be a Member of the Merit Systems Protection Board for the term of seven years expiring March 1, 2011.

Stephanie Johnson Monroe, of Virginia, to be Assistant Secretary for Civil Rights, Department of Education.

Steven G. Bradbury, of Maryland, to be an Assistant Attorney General.

Peter Manson Swaim, of Indiana, to be United States Marshal for the Southern District of Indiana for the term of four years.

Routine lists in the Army, Navy. **Page 14092**

Executive Communications: **Page 14057**

Executive Reports of Committees: **Page 14058**

Additional Cosponsors: **Page 14059**

Statements on Introduced Bills/Resolutions: **Page 14061**

Additional Statements: **Page 14055**

Amendments Submitted: **Page 14085**

Authority for Committees to Meet: **Page 14091**

Record Votes: Six record votes were taken today. (Total—157) **Pages 13971, 13996, 14012, 14013, 14027, 14028**

Adjournment: Senate convened at 9 a.m., and adjourned at 10:03 p.m. until 9:30 a.m., on Friday, June 24, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 14092.)

Committee Meetings

BUSINESS MEETING

Committee on Appropriations: Committee ordered favorably reported the following bills:

H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, with an amendment in the nature of a substitute;

H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, with an amendment in the nature of a substitute; and

Proposed legislation making appropriations for the Legislative Branch for the fiscal year ending September 30, 2006.

IRAQ

Committee on Armed Services: Committee concluded a hearing to examine United States military strategy and operations in Iraq, after receiving testimony from Donald H. Rumsfeld, Secretary of Defense; General Richard B. Myers, USAF, Chairman, Joint Chiefs of Staff; General John P. Abizaid, USA, Commander, United States Central Command; and General George W. Casey, USA, Commanding General, Multi-National Force-Iraq.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the following business items:

S. 1281, to authorize appropriations for the National Aeronautics and Space Administration for science, aeronautics, exploration, exploration capabilities, and the Inspector General, and for other purposes, for fiscal years 2006, 2007, 2008, 2009, and 2010, with amendments;

S. 1280, to authorize appropriations for fiscal years 2006 and 2007 for the United States Coast Guard, with an amendment; and

The nominations of Edmund S. Hawley, of California, to be an Assistant Secretary of Homeland Security, Israel Hernandez, of Texas, to be Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Service, William Alan Jeffrey, of Virginia, to be Director of the National Institute of Standards and Technology, Department of Commerce, Ashok G. Kaveeshwar, of Maryland, to be Administrator of the Research and Innovative Technology Administration, Department of Transportation, David A. Sampson, of Texas, to be Deputy Secretary of Commerce, John J. Sullivan, of Maryland, to be General Counsel of the Department of Commerce, Rear Admiral Sally Brice-O'Hara to be Director of the Coast Guard Reserve, and sundry officers in the National Oceanic and Atmospheric Administration.

U.S.-CHINA RELATIONS

Committee on Finance: Committee held a hearing to examine United States-China economic relations and China's role in the world economy, especially its currency valuation policy, and exports, and the World Trade Organization (WTO), receiving testimony from Senators Collins, Bayh, Graham, and Stabenow; Alan Greenspan, Chairman, Board of Governors of the Federal Reserve System; John W. Snow, Secretary of the Treasury; Kenneth Rogoff, Harvard University Department of Economics, Cambridge, Massachusetts; Neal Bredehoeft, American Soybean Association, Alma, Missouri; Sean Maloney, Intel Corporation, Santa Clara, California, on behalf of the U.S. Chamber of Commerce; Al Lubrano, Technical Materials, Inc., Lincoln, Rhode Island, on behalf of the National Association of Manufacturers.

Hearing recessed subject to the call.

HIV/AIDS

Committee on Foreign Relations: Committee concluded a hearing to examine issues relative to developing an HIV/AIDS vaccine, focusing on S. Res. 42, expressing the sense of the Senate on promoting initiatives to develop an HIV vaccine, after receiving testimony from Representative Visclosky; Anthony S. Fauci, Director, National Institute of Allergy and Infectious Diseases, National Institutes of Health, Department of Health and Human Services; Ashley Judd, Franklin, Tennessee, on behalf of YouthAIDS; Helene Gayle, Bill and Melinda Gates Foundation, Seattle, Washington; and Seth Berkley, International AIDS Vaccine Initiative, New York, New York.

HIV/AIDS CARE PROGRAMS

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, and International Security concluded a hearing to examine disparities in federal HIV/AIDS CARE programs, focusing on the effectiveness of CARE Act funding allocations in ensuring that all Americans living with HIV are provided access to core medical services and life-saving AIDS medications, after receiving testimony from Marcia G. Crosse, Director, Health Care, Government Accountability Office; Robert S. Janssen, Director, Divisions of HIV/AIDS Prevention, National Center for HIV, STD, and TB Prevention, Coordinating Center for Infectious Diseases, Centers for Disease Control and Prevention, and Deborah P. Hopson, Associate Administrator for HIV/AIDS, Health Resources and Services Administration, both of the Department of Health and Human Services; and Michael Montgomery, California Department of Health Services, Sacramento.

FAMILY MEDICAL LEAVE ACT

Committee on Health, Education, Labor, and Pensions: Committee met to discuss the Family Medical Leave Act, receiving testimony from Jamie Marsden, City of Gillette Human Resources, Gillette, Wyoming; Cheryl Barbanel, Boston University Occupational Health Center, Boston, Massachusetts; Sandy Boyd, National Association of Manufacturers, Laurie Dohnalek, Georgetown University Hospital, Janemarie Mulvey, The Employment Policy Foundation, and Debra Ness, National Partnership for Women and Families, all of Washington, D.C.; Susan O'Flaherty, Bank One, Chicago, Illinois; Patrick Lancaster, American Axle and Manufacturing, Detroit, Michigan; Jeff Payne, Palmeto Health Hospitals, Columbia, South Carolina; Robert Prybutok, Polymer Technologies, Newark, Delaware; Sue Willman, Spencer Fane, Kansas City, Missouri; Ellen Bravo, Multi-state Working Families Consortium, Milwaukee, Wisconsin; Marie Alexander, Quova, Inc., Mountain View, California; Jody Heymann, Harvard Center for Society and Health, Cambridge, Massachusetts; and Patti Philips, Atlanta, Georgia.

ROE v. WADE/DOE v. BOLTON

Committee on the Judiciary: Subcommittee on the Constitution concluded a hearing to examine the consequences of Roe v. Wade and Doe v. Bolton, after receiving testimony from Ken Edelin, Boston University School of Medicine, Boston, Massachusetts; Teresa Collett, University of St. Thomas Law School, Minneapolis, Minnesota; M. Edward Whelan, III, Ethics and Public Policy Center, and Karen O'Connor, American University, both of Washington, D.C.; R. Alta Charo, University of Wisconsin Law School, Madison; Sandra Cano, Atlanta, Georgia; and Norma McCorvey, Dallas, Texas.

VETERANS BENEFITS

Committee on Veterans' Affairs: Committee concluded a hearing to examine benefits-related legislative initiatives, focusing on S. 151, to amend title 38, United States Code, to require an annual plan on outreach activities of the Department of Veterans Affairs, S. 423, to amend title 38, United States Code, to make a stillborn child an insurable dependent for purposes of the Servicemembers' Group Life Insurance program, S. 551, to direct the Secretary of Veterans Affairs to establish a national cemetery for veterans in the Colorado Springs, Colorado, metropolitan area, S. 552, to make technical corrections to the Veterans Benefits Improvement Act of 2004, S. 909, to expand eligibility for governmental markers for marked graves of veterans at private cemeteries, S. 917, to amend title 38, United States Code, to make permanent the pilot program for direct housing loans for Native American veterans, S. 1234, to increase, effective as of December 1, 2005, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, S. 1235, to amend chapters 19 and 37 of title 38, United States Code, to extend the availability of $400,000 in coverage under the servicemembers' life insurance and veterans' group life insurance programs, S. 1138, to authorize the placement of a monument in Arlington National Cemetery honoring the veterans who fought in World War II as members of Army Ranger Battalions, S. 1252, to amend section 1922A of title 38, United States Code, to increase the amount of supplemental insurance available for totally disabled veterans, S. 1259, to amend title 38, United States Code, to extend the requirement for reports from the Secretary of Veterans Affairs on the disposition of cases recommended to the Secretary for equitable relief due to administrative error and to provide improved benefits and procedures for the transition of members of the Armed Forces from combat zones to noncombat zones and for the transition of veterans from service in the Armed Forces to civilian life, S. 1271, to amend title 38, United States Code, to provide improved benefits for veterans who are former prisoners of war, after receiving testimony from Senators Pryor and Allard; Daniel L. Cooper, Under Secretary of Veterans Affairs for Benefits; Steve Smithson, The American Legion, Quentin Kinderman, Veterans of Foreign Wars of the United States, Rick Surratt, Disabled American Veterans, and Carl Blake, Paralyzed Veterans of America, all of Washington, D.C.; and Richard Jones, AMVETS, Lanham, Maryland.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 13 public bills, H.R. 3043–3055; and 4 resolutions, H. Con. Res. 188–190; and H. Res. 338 were introduced. **Page 13962**

Additional Cosponsors: **Page 13963**

Reports Filed: Reports were filed today as follows:

H.R. 362, to designate the Ojito Wilderness Study Area as wilderness, to take certain land into trust for the Pueblo of Zia, amended (H. Rept. 109–149);

H.R. 1797, to provide for equitable compensation to the Spokane Tribe of Indians of the Spokane Reservation for the use of tribal land for the production of hydropower by the Grand Coulee Dam (H. Rept. 109–150); and

H.R. 2364, to establish a Science and Technology Scholarship Program to award scholarships to recruit and prepare students for careers in the National Weather Service and in National Oceanic and Atmospheric Administration marine research, atmospheric research, and satellite programs, amended (H. Rept. 109–151). **Page 13962**

Labor, Health and Human Services, Education Appropriations Act for FY 2006: H.R. 3010 making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006. **Page 13858**

Agreed to limit further amendments made in order for debate and the time limit for debate on such amendments. **Page 13930**

Agreed to:

Obey amendment that restored $100 million for the corporation for Public Broadcasting by a recorded vote of 284 yeas to 140 nays, Roll No. 305. **Pages 13899, 13931**

Rejected:

Owens amendment that sought to strike the priviso in the bill which prohibits funds in the bill from enforcing annual fit testing (after the initial fit testing) of respirators for occupational exposure to tuberculosis by a recorded vote of 206 yeas to 216 nays, Roll No. 306; **Pages 13913, 13932**

Bradley amendment that sought to increase funding for Individuals with Disabilities Education Act by $50,000,000 for use as Part B grants to states and offset by taking administrative and program management funds from OSHA and the Department of Education by a recorded vote of 161 yeas to 262 nays, Roll No. 307. **Pages 13919, 13932**

Withdrawn:

Fosella amendment that was offered and subsequently withdrawn that sought to eliminate the rescission of $125 million in workers' compensation and worker-retraining funds intended to aid 9/11 first responders. The amendment designated this $125 million as emergency funding. **Page 13907**

Peterson (PA) (No. 22 printed in the Congressional Record of June 22) that was offered and subsequently withdrawn that sought to increase the bill's appropriation for the Health Resources and Services Administration by $37,336,000. The amendment offsets this increase by cutting the bill's appropriation for the Occupational Safety and Health Administration by $37,336,000. **Page 13912**

Johnson (CT) amendment that was offered and subsequently withdrawn that sought to increase funds for Health Resources and Services by $11,200,000. **Page 13923**

Capuano amendment that was offered and subsequently withdrawn that sought to increase by $5,000,000 and decrease by the same amount funds for the Centers for Disease Control and Prevention, Disease Control, Research, and Training. **Page 13924**

H. Res. 337, the rule providing for consideration of the bill was agreed to by voice vote, after agreeing to the previous question by a yea-and-nay vote of 225 yeas to 194 nays, Roll No. 304. **Page 13849**

Late Reports: Agreed that the Committee on Transportation and Infrastructure have until midnight on June 24 to file a report to accompany the bill H.R. 2864, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States. **Page 13934**

Quorum Calls—Votes: One yea-and-nay vote and 3 Recorded votes developed during the proceedings of the House today and appear on pages 13857 and 13931.

Adjournment: The House met at 10 a.m. and adjourned at 9:04 p.m.

Committee Meetings

IRAQI SECURITY FORCES PROGRESS

Committee on Armed Services: Held a hearing on the Progress of the Iraqi Security Forces. Testimony was heard from the following officials of the Department of Defense: Donald H. Rumsfeld, Secretary; GEN Richard B. Myers, USAF, Chairman, Joint Chiefs of Staff; GEN John Abizaid, USA, Commander, Central Command; and GEN George W. Casey, Jr., USA, Commander, Multi-National Forces—Iraq.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION REAUTHORIZATION

Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protection held a hearing entitled "Reauthorization of the National Highway Traffic Safety Administration." Testimony was heard from Jeffrey W. Runge, M.D., Administrator, National Highway Traffic Safety Administration, Department of Transportation; and public witnesses.

BANKING ON RETIREMENT SECURITY

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled "Banking on Retirement Security: A Guaranteed Rate of Return." Testimony was heard from public witnesses.

FIRST RESPONDERS ANTI-TERRORISM TRAINING

Committee on Homeland Security: Subcommittee on Emergency Preparedness, Science and Technology and the Subcommittee on Management, Integration, and Oversight held a joint hearing entitled "The National Training Program: Is Anti-Terrorism Training for First Responders Efficient and Effective." Testimony was heard from Raymond W. Kelly, Commissioner, Police Department, City of New York; Shawn Reese, Analyst in American National Government, Government and Finance Division, CRS, Library of Congress; and public witnesses.

TORTURE VICTIMS RELIEF ACT IMPLEMENTATION

Committee on International Relations: Subcommittee on Africa, Global Human Rights and International Operations hearing on Implementing the 1998 Torture Victims Relief Act. Testimony was heard from Lloyd Feinberg, Manager, Victims of Torture Fund, U.S. Agency for International Development, Department of State; and public witnesses.

MISCELLANEOUS MEASURES

Committee on International Relations: Subcommittee on Africa, Global Human Rights and International Operations approved for full Committee action the following measures: H.R. 2017, Torture Victims Relief Reauthorization Act of 2005; H. Con. Res. 168, amended, Condemning the Democratic People's Republic of Korea for the abductions and continue captivity of citizens of the Republic of Korea and Japan as acts of terrorism and gross violations; and H. Res. 333, Supporting the goals and ideals of a National Weekend of Prayer and Reflection for Darfur, Sudan.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security approved for full Committee action the following bills: H.R. 184, Controlled Substances Export Reform Act of 2005; H.R. 869, to amend the Controlled Substances Act to lift the patent limitation on prescribing drug addition treatments by medical practitioners in group practices; and H.R. 3020, United States Parole Commission Extension and Sentencing Commission Authority Act of 2005.

POTENTIAL OIL SOURCES

Committee on Resources: Subcommittee on Energy and Mineral Resources held an oversight hearing entitled "The Vast North American Resource Potential of Oil Shale, Oil Sands, and Heavy Oils," Part 1. Testimony was heard from Russell George, Executive Director, Department of Natural Resources, State of Colorado; and public witnesses.

MIGRATORY BIRD AND GREAT APE CONSERVATION MEASURES

Committee on Resources: Subcommittee on Fisheries and Oceans held a hearing on the following bills: H.R. 518, Neotropical Migratory Bird Conservation Improvement Act of 2005; and H.R. 2693, Great Ape Conservation Reauthorization Act of 2005. Testimony was heard from Marshall Jones, Assistant Director, United States Fish and Wildlife Service, Department of the Interior; and public witnesses.

VETERANS' COMPENSATION COST-OF-LIVING ADJUSTMENT ACT; OVERSIGHT—VETERANS AFFAIRS HEALTH COSTS

Committee on Veterans' Affairs: Ordered reported, as amended, H.R. 1220, Veterans' Compensation Cost-of-Living Adjustment Act of 2005.

The Committee also held an oversight hearing to examine the budget modeling and methodologies used by the Department of Veterans Affairs to develop and forecast veterans' health care cost and utilization projections for future years. Testimony was heard from Jonathan B. Perlin, M.D., Under Secretary, Health, Department of Veterans Affairs; John Kokulis, Deputy Assistant Secretary, Health Affairs for Health Budgets and Financial Policy, Department of Defense; representatives of veterans organizations; and public witnesses.

REVIEW TAX DEDUCTION FOR FACADE EASEMENTS

Committee on Ways and Means: Subcommittee on Oversight held a hearing to review the Tax Deduction for Facade Easements. Testimony was heard from Steven T. Miller, Tax-Exempt and Government Entities Division, IRS, Department of the Treasury; and public witnesses.

SOCIAL SECURITY—PROTECTING AND STRENGTHENING

Committee on Ways and Means: Subcommittee on Social Security continued hearings on Protecting and Strengthening Social Security. Testimony was heard from James B. Lockhart, Deputy Commissioner, SSA; Barbara Bovbjerg, Director, Education, Workforce, and Income Security, GAO; Patrick J. Purcell, Specialist in Social Legislation, Domestic Social Policy Division, CRS, Library of Congress; and public witnesses.

BRIEFING—GLOBAL UPDATES

Permanent Select Committee on Intelligence: Met in executive session to receive a Briefing on Global Updates. The Committee was briefed by departmental witnesses.

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Friday, June 24, 2005

Senate

Chamber Action

Routine Proceedings, pages 14101–67

Measures Introduced: Two bills were introduced, as follows: S. 1310–1311. **Page 14149**

Measures Reported:

H.R. 2985, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2006, with amendments. (S. Rept. No. 109–89) **Page 14149**

Measures Passed:

Junk Fax Prevention Act: Senate passed S. 714, to amend section 227 of the Communications Act of 1934 (47 U.S.C. 227) relating to the prohibition on junk fax transmissions, after agreeing to the committee amendments, and the following amendment proposed thereto: **Page 14152**

Alexander (for Boxer/Smith) Amendment No. 1011, to require post-date-of-enactment authorization for an established business relationship to a telephone facsimile machine. **Page 14153**

Freedom of Information Act Exemption: Senate passed S. 1181, to ensure an open and deliberate process in Congress by providing that any future legislation to establish a new exemption to section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act) be stated explicitly within the text of the bill. **Page 14155**

Interior Appropriations: Senate began consideration of H.R. 2361, making appropriations for the Department of the Interior, Environment, and related agencies for the fiscal year ending September 30, 2006, and pursuant to the order of June 23, 2005, agreed to the committee amendment in the nature of a substitute, which will be considered as original text for the purpose of further amendment, taking action on the following amendment proposed thereto: **Page 14101**

Pending:

Burns (for Voinovich) Amendment No. 1010, to prohibit the use of funds to take certain land into trust without the consent of the Governor of the State in which the land is located. **Page 14146**

A unanimous-consent agreement was reached providing for further consideration of the bill at 3 p.m. on Monday, June 27, 2005. **Page 14167**

Appointments:

Veterans' Disability Benefits Commission: The Chair, on behalf of the Democratic Leader, pursuant to Public Law 108–136, appointed the following individual to serve as a member of the Veterans' Disability Benefits Commission: Ken Jordan of California, vice Mike O'Callaghan of Nevada. **Page 14166**

Nominations Confirmed: Senate confirmed the following nominations:

A. Noel Anketell Kramer, of the District of Columbia, to be an Associate Judge of the District of Columbia Court of Appeals for the term of fifteen years.

Laura A. Cordero, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Linda Morrison Combs, of North Carolina, to be Controller, Office of Federal Financial Management, Office of Management and Budget.

Linda M. Springer, of Pennsylvania, to be Director of the Office of Personnel Management for a term of four years.

Emil A. Skodon, of Illinois, to be Ambassador to Brunei Darussalam.

Joseph A. Mussomeli, of Virginia, to be Ambassador to the Kingdom of Cambodia.

Dina Habib Powell, of Texas, to be an Assistant Secretary of State (Educational and Cultural Affairs).

Larry Miles Dinger, of Iowa, to be Ambassador to the Republic of the Fiji Islands, and to serve concurrently and without additional compensation as Ambassador to the Republic of Nauru, the Kingdom of Tonga, Tuvalu, and the Republic of Kiribati.

Michael E. Hess, of New York, to be an Assistant Administrator of the United States Agency for International Development.

Ronald E. Neumann, of Virginia, to be Ambassador to the Islamic Republic of Afghanistan.

Gregory L. Schulte, of Virginia, to be Representative of the United States of America to the Vienna Office of the United Nations, with the rank of Ambassador.

Gregory L. Schulte, of Virginia, to be Representative of the United States of America to the International Atomic Energy Agency, with the rank of Ambassador. **Pages 14166, 14167**

Messages From the House: **Page 14149**

Measures Referred: **Page 14149**

Additional Cosponsors: **Page 14149**

Statements on Introduced Bills/Resolutions: **Page 14150**

Additional Statements: **Page 14148**

Amendments Submitted: **Page 14150**

Privilege of the Floor: **Page 14152**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 1:18 p.m. until 1 p.m., on Monday, June 27, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 14167.)

Committee Meetings

IRAQI SECURITY FORCES

Committee on Armed Services: Committee met in closed session to receive a briefing to examine Iraqi security forces from Peter W. Rodman, Assistant Secretary of Defense for International Security Affairs; Lieutenant General David H. Petraeus, USA, Commanding General, Multi-National Security Transition Command—Iraq; and Lieutenant General Walter L. Sharp, USA, Director, Strategic Plans and Policy, J–5, The Joint Staff.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 12 public bills, H.R. 3056, 3059–3069; and 4 resolutions, H. Con. Res. 191–192; and H. Res. 339–340, were introduced. **Page 14245**

Additional Cosponsors: **Page 14246**

Reports Filed: Reports were filed today as follows:

H.R. 3057 making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, (H. Rept. 109–152);

H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006 (H. Rept. 109–153); and H.R. 2864, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, amended (H. Rept. 109–154). **Page 14245**

Speaker: Read a letter from the Speaker wherein he appointed Representative Boustany to act as speaker pro tempore. **Page 14168**

Labor, Health and Human Services, Education Appropriations Act for FY 2006: The House passed H.R. 3010 making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006 (by a yea-and-nay vote of 250 yeas to 151 nays, Roll No. 320). The bill was also considered yesterday, June 23. **Page 14170**

Agreed to limit the time on a vote, on a motion to recommit, to five minutes, notwithstanding that it is the first vote in a series. **Page 14232**

Rejected the Obey motion to recommit the bill to the Committee on Appropriations, (by a recorded vote of 185 ayes to 216 noes, Roll No. 319). **Page 14232**

Agreed to:

Kolbe amendment to prohibit funds made available in the Act from being used to enforce Determination ED–OIG/A05–D0008 of the Department of Education. **Page 14186**

Miller, George (CA) amendment to prevent the Pension Benefit Guaranty Corporation from expending funds to administer its agreement with United Airlines to terminate the company's pension plans (by a recorded vote of 219 ayes to 185 noes, Roll No. 309); **Pages 14180, 14198**

Filner amendment to prohibit funds from being used to place social security account numbers on identification cards issued to beneficiaries under the Medicare Program under title XVIII of the Social Security Act (by a recorded vote of 314 ayes to 94 noes, Roll No. 311); **Pages 14190, 14199**

King (IA) amendment to prohibit funds made available from being used to reimburse, or provide reimbursement, for Viagra, Levitra, or Cialis (by a recorded vote of 285 ayes to 121 noes, Roll No. 312); **Pages 14192, 14200**

En bloc amendment consisting of the following amendments: Regula amendment regarding Veterans Programs of the Department of Labor, LIHEAP, and section 503 of the bill; Markey amendment regarding Interoperable Information Technology; Waxman amendment regarding certain appointments to Federal advisory committees; Neugebauer amendment that states that none of the funds made available in this Act may be used by the National Institute of Mental Health for the following grants: (1) Grant number MH060105 (Perceived Regard and Relationship Resilience in Newlyweds). (2) Grant number MH047313 (Perceptual Bases of Visual Concepts in Pigeons). **Page 14202**

Hayworth amendment, as modified, to prohibit the use of funds by the Social Security Administration to administer Social Security benefit payments under a totalization agreement with Mexico; **Page 14209**

Van Hollen amendment to prohibit the use of funds in the bill to administer or pay any special allowances under the Higher Education Act of 1965 with respect to certain loans (by a recorded vote of 224 ayes to 178 noes, Roll No. 316). **Pages 14208, 14220**

Rejected:

Nadler amendment that sought to increase funding for School Improvement Programs by $35,600,000. The increase would be offset by reducing funds for administrative costs. **Page 14171**

Tancredo amendment that sought to prohibit funds from being used to pay the salaries and expenses of personnel who reimburse hospitals for providing health care to illegal aliens. **Page 14188**

Price (GA) amendment that sought to increase funding for the Teacher Incentive Fund by $70,000,000. To offset the increase, the funds for AmeriCorps were reduced by the same amount (by a recorded vote of 102 ayes to 298 noes, Roll No. 308); **Pages 14173, 14197**

Brown (OH) amendment that sought to prohibit any of the funds made available from being used to fund the operations of the Medicaid Commission (established on May 19, 2005, and chartered under section 222 of the Public Health Service Act and the Federal Advisory Committee Act) (by a recorded vote of 170 ayes to 237 noes, Roll No. 310); **Pages 14182, 14198**

Hefley amendment that sought to reduce overall appropriations in the bill by 1 percent (by a recorded vote of 84 ayes to 323 noes, Roll No. 313); **Pages 14194, 14200**

Hinchey amendment that sought to prohibit use of funds for exercising direction, supervision, or control over the content or distribution of public telecommunications programs and services in violation of the Communications Act of 1934 (by a recorded vote of 187 ayes to 218 noes, Roll No. 314); **Pages 14195, 14201**

Hayworth amendment that sought to prohibit the funds made available in the bill to be used by the National Labor Relations Board (NLRB) to exert jurisdiction over any organization or enterprise pursuant to the standard adopted by the NLRB in the San Manuel Indian Bingo and Casino and Hotel Employees & Restaurant Employees International Union and Communication Workers of America case (by a recorded vote of 146 ayes to 256 noes, Roll No. 315); **Pages 14205, 14219**

Paul amendment that sought to prohibit use of funds in the bill to create or implement any universal mental health screening program (by a recorded vote of 97 ayes to 304 noes, Roll No. 317); **Pages 14211, 14221**

DeLauro amendment that sought to prohibit use of funds in the bill to enforce or carry out item 6B of the settlement agreement between the Wage and Hour Division of the Department of Labor and Wal-Mart Stores, Inc. (by a recorded vote of 165 ayes to 234 noes, Roll No. 318); **Pages 14213, 14221**

Hinchey amendment that sought to prohibit the use of funds in the bill to distribute the personal information of Medicare and Medicaid beneficiaries to private companies for marketing purposes (by a recorded vote of 192 ayes to 210 noes, Roll No. 319). **Pages 14216, 14222**

Withdrawn:

Kind amendment that sought to prohibit the use of funds by the Center for Medicare and Medicaid Services to implement a regulation forcing Critical Access Hospitals (CAH) to reapply for CAH status if they rebuild or relocate their facility more than 250 yards away from their current location. **Page 14188**

Engel amendment sought to grant states one more year to spend unspent Ryan White AIDS program funds. **Page 14217**

Point of Order sustained against:

Section 511 beginning on page 104, line 6 through line 18. **Page 14179**

Honda amendment sought to prohibit funds made available in the Act from being used to require a local educational agency to provide student information to military recruiters without parental consent. **Page 14185**

H. Res. 337, the rule providing for consideration of the bill was agreed to yesterday, June 23.

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday, June 27 for Morning Hour debate. **Page 14235**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, June 29. **Page 14235**

Official Objectors for Private Calendar for 109th Congress: The Chair announced that the official objectors for the Private Calendar for the 109th Congress are as follows: for the Majority: Representatives Coble, Chabot, and Feeney; and for the Minority: Representatives Boucher, Schiff, and Grijalva. **Page 14236**

Presidential Message: Messages delivered Thursday, June 23. The Speaker laid before the House a message from the President transmitting legislation and supporting documents to implement the Dominican Republic-Central America-United States Free Trade Agreement—referred to the Committee on Ways and Means and ordered to be printed (H. Doc. 109–36). **Page 13947**

The Speaker laid before the House a message from the President transmitting a notice regarding the national emergency with respect to the Western Balkans—referred to the Committee on International Relations and ordered to be printed (H. Doc. 109–37). **Page 13948**

Senate Message: Messages received from the Senate appear on pages 14168 and 14234.

Senate Referrals: S. 1181 was referred to the Committee on Government Reform and S. 714 was held at the desk. **Page 14244**

Quorum Calls—Votes: One yea-and-nay vote, and thirteen recorded votes developed during the proceedings of today and appear on pages 14197–14202, 14219–23, and 14233–34. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 5:58 p.m.

Committee Meetings

No committee meetings were held.

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Monday, June 27, 2005

Senate

Chamber Action

Routine Proceedings, pages 14278–14332

Measures Introduced: Six bills were introduced, as follows: S. 1312–1317. **Page 14310**

Measures Reported:

S. 1017, to reauthorize grants for the water resources research and technology institutes established under the Water Resources Research Act of 1984, with amendments. (S. Rept. No. 109–90)

S. 655, to amend the Public Health Service Act with respect to the National Foundation for the Centers for Disease Control and Prevention, with an amendment in the nature of a substitute. (S. Rept. No. 109–91)

H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, with an amendment in the nature of a substitute. (S. Rept. No. 109–92)

S. 268, to provide competitive grants for training court reporters and closed captioners to meet requirements for realtime writers under the Telecommunications Act of 1996, with amendments. (S. Rept. No. 109–93)

S. 432, to establish a digital and wireless network technology program. (S. Rept. No. 109–94) **Page 14309**

Measures Passed:

Red Tide Emergency Relief Act: Senate passed S. 1316, to authorize the Small Business Administration to provide emergency relief to shellfish growers affected by toxic red tide losses. **Page 14329**

Partners for Fish and Wildlife Act: Senate passed S. 260, to authorize the Secretary of the Interior to provide technical and financial assistance to private landowners to restore, enhance, and manage private land to improve fish and wildlife habitats through the Partners for Fish and Wildlife Program, after agreeing to the committee amendments. **Page 14329**

Interior Appropriations: Senate resumed consideration of H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and pursuant to the order of June 23, 2005, agreed to the committee amendment in the nature of a substitute, which will be considered as original text for the purpose of further amendment, taking action on the following amendments proposed thereto: **Page 14284**

Adopted:

Burns (for Ensign) Amendment No. 1033, to prohibit the use of funds for the demolition of buildings at the Zephyr Shoals property, Lake Tahoe, Nevada. **Pages 14294, 14303**

Dorgan (for Feinstein) Amendment No. 1024, to authorize the imposition of fees for overnight lodging at certain properties at Fort Baker, California. **Pages 14285, 14303**

Burns (for Frist) Amendment No. 1028, to reinstate a provision relating to National Parks with deed restrictions. **Pages 14294, 14303**

Dorgan (for Wyden) Amendment No. 1035, to extend the authority for watershed restoration and enhancement agreements. **Pages 14290, 14304**

Burns (for Craig) Amendment No. 1041, to withdraw from mineral entry or appropriation under mining lease laws, and from leasing claims under mineral and geothermal leasing laws, certain land in the Payette National Forest. **Pages 14293, 14304**

Pending:

Burns (for Voinovich) Amendment No. 1010, to prohibit the use of funds to take certain land into trust without the consent of the Governor of the State in which the land is located. **Page 14284**

Burns (for Frist/Reid) Amendment No. 1022, to provide for Congressional security relating to certain real property. **Page 14284**

Dorgan (for Boxer) Amendment No. 1023, to prohibit the use of funds by the Administrator of the Environmental Protection Agency to accept, consider, or rely on third-party intentional dosing human studies for pesticides or to conduct intentional dosing human studies for pesticides. **Page 14285**

Dorgan Amendment No. 1025, to require Federal reserve banks to transfer certain surplus funds to the general fund of the Treasury, to be used for the provision of Indian health care services. **Page 14285**

Sununu/Bingaman Amendment No. 1026, to prohibit the use of funds to plan, design, study or construct certain forest development roads in the Tongass National Forest. **Pages 14285, 14290**

Dorgan (for Kerry) Amendment No. 1029, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, for the Veterans Health Administration. **Page 14286**

Dorgan (for Bingaman) Amendment No. 1030, to modify a provision relating to funds appropriated for Bureau of Indian Affairs postsecondary schools. **Page 14286**

Dorgan (for Bingaman) Amendment No. 1031, to set aside additional amounts for Youth Conservation Corps projects. **Page 14287**

Dorgan (for Durbin) Amendment No. 1032, to prohibit the use of funds in contravention of the Executive order relating to Federal actions to address environmental justice in minority populations and low-income populations. **Page 14288**

Dorgan (for Reed) Amendment No. 1036, to modify certain administrative provisions relating to the brownfield site characterization and assessment program. **Page 14290**

Dorgan (for Reed) Amendment No. 1037, to authorize recipients of grants provided under the brownfield site characterization and assessment program to use grant funds for reasonable administrative expenses. **Page 14290**

Salazar Amendment No. 1038, to provide additional funds for the payment in lieu of taxes program, with an offset. **Page 14293**

Salazar Amendment No. 1039, to provide that certain user fees collected under the Land and Water Conservation Act of 1965 be paid to the States. **Page 14293**

Burns (for Bond) Amendment No. 1040, to set aside funds for the University of Missouri—Columbia to establish a wetland ecology center of excellence. **Page 14293**

Burns (for Warner) Amendment No. 1042, to set aside funds for the replacement of the main gate facility at the Wolf Trap National Park for the Performing Arts, Virginia. **Page 14293**

Burns (for Ensign) Amendment No. 1012, to provide for the conveyance of certain Bureau of Land Management land in the State of Nevada to the Las Vegas Motor Speedway. **Page 14294**

Burns (for Coburn) Amendment No. 1002, to reduce total appropriations in the bill by 1.7 percent for the purpose of fully funding the Department of Defense. **Page 14294**

Burns (for Coburn) Amendment No. 1003, to require conference report inclusion of limitations, directives, and earmarks. **Page 14295**

Burns (for Coburn) Amendment No. 1015, to transfer funding to Wildland Fire Management from the National Endowment for the Arts and the National Endowment for the Humanities. **Page 14295**

Burns (for Coburn) Amendment No. 1019, to transfer funding to the Special Diabetes Program for Indians and the Alcohol and Substance Abuse Program within the Indian Health Service from funding for Federal land acquisition. **Page 14295**

Burns (for Coburn) Amendment No. 1020, to express the Sense of the Senate that any additional emergency supplemental appropriations should be offset with reductions in discretionary spending. **Page 14295**

Dorgan (for Feingold) Amendment No. 1043, to require the Government Accountability Office to conduct an audit of the competitive sourcing program of the Forest Service. **Page 14295**

Dorgan (for Byrd) Amendment No. 1044, to set aside funds for the White Sulphur Springs Fish Hatchery. **Page 14295**

Dorgan (for Conrad) Amendment No. 1045, to set aside funds for a brownfields assessment of the Fortuna Radar Site. **Page 14296**

Dorgan (for Sarbanes) Amendment No. 1046, to provide for a study of the feasibility of designating the Captain John Smith Chesapeake National Historic Watertrail as a national historic trail. **Page 14296**

Kyl (for Smith) Amendment No. 1048, to require the Secretary of Agriculture to report to Congress on the rehabilitation of the Biscuit Fire area of southern Oregon. **Page 14299**

Kyl Amendment No. 1049, to provide certain earmarks for State and tribal assistance grant funds. **Page 14299**

Kyl Amendment No. 1050, to modify the formula for the allotment of grants to States for the establishment of State water pollution control revolving funds. **Page 14299**

Kyl (for Inhofe) Amendment No. 1051, to encourage competition in assistance agreements awarded by the Environmental Protection Agency. **Page 14300**

Byrd (for Murray) Amendment No. 1052, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, for the Veterans Health Administration. **Page 14301**

Byrd/Cochran Amendment No. 1053, to provide funds for the Memorial to Martin Luther King, Jr. **Page 14301**

Dorgan (for Bingaman) Amendment No. 1054, to set aside additional amounts for Youth Conservation Corps projects. **Page 14302**

Dorgan (for Bingaman) Amendment No. 1055, to provide for the consideration of the effect of competitive sourcing on wildland fire management activities. **Page 14302**

Dorgan (for Bingaman) Amendment No. 1056, to strike the title providing for the disposition of Forest Service land and the realignment of Forest Service facilities. **Page 14303**

Dorgan (for Bingaman) Amendment No. 1057, to extend the Forest Service conveyances pilot program. **Page 14303**

Dorgan (for Bingaman) Amendment No. 1058, to provide a substitute for title V, Facility Realignment and Enhancement Act of 2005. **Page 14303**

Dorgan Amendment No. 1059, to facilitate family travel to Cuba in humanitarian circumstance. **Page 14303**

Dorgan (for Landrieu) Amendment No. 1060, to make certain funding revisions relating to Historically Black Colleges and Universities, and Department of the Interior administrative expenses. **Page 14303**

Dorgan (for Obama) Amendment No. 1061, to provide that none of the funds made available in this Act may be used in contravention of 15 U.S.C. section 2682(c)(3) or to delay the implementation of that section. **Page 14303**

Dorgan (for Obama) Amendment No. 1062, to provide that of the funds made available under the heading "Environmental Programs and Management," not less than $100,000 shall be made available to issue the proposed rule required under 15 U.S.C. section 2682(c)(3) by November 1, 2005, and promulgate the final rule required under 15 U.S.C. section 2682(c)(3) by September 30, 2006. **Page 14303**

A unanimous-consent agreement was reached providing that all second degree amendments be relevant to the first degree amendments to which they are offered. **Page 14331**

A unanimous-consent agreement was reached providing for further consideration of the bill on Tuesday, June 28, 2005. **Page 14331**

Energy Policy Act Amendment—Agreement: A unanimous-consent agreement was reached providing that all references to Amendment No. 978, to clarify the definition of coal to liquid fuel technology, to the bill H.R. 6, to ensure jobs for our future with secure, affordable, and reliable energy, agreed to on Wednesday, June 22, 2005, reflect that the sponsor of the amendment is Senator Conrad and not Senator Obama. **Page 14331**

Energy Policy Act—Agreement: A unanimous-consent agreement was reached providing for further consideration of H.R. 6, Energy Policy Act, at 9:45 a.m. on Tuesday, June 28, 2005, with a vote on final passage of the bill to occur immediately thereon. **Page 14331**

Messages From the House: **Page 14307**

Measures Referred: **Page 14307**

Executive Communications: **Page 14307**

Additional Cosponsors: **Page 14310**

Statements on Introduced Bills/Resolutions: **Page 14311**

Additional Statements: **Page 14306**

Amendments Submitted: **Page 14321**

Notices of Hearings/Meetings: **Page 14328**

Adjournment: Senate convened at 1 p.m., and adjourned at 6:24 p.m. until 9:45 a.m., on Tuesday, June 28, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 14331.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 11 public bills, H.R. 3070–3080 and 2 resolutions, H. Con. Res. 193; and H. Res. 343, were introduced. **Page 14411**

Additional Cosponsors: **Page 14411**

Reports Filed: Reports were filed today as follows:

H. Res. 341, providing for consideration of H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006 (H. Rept. 109–155);

H. Res. 342, providing for consideration of H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia and independent agencies for the fiscal year ending September 30, 2006 (H. Rept. 109–156);

H.R. 426, to encourage the development and integrated use by the public and private sectors of remote sensing and other geospatial information, amended (H. Rept. 109–157); and

H.R. 1022, to provide for a Near-Earth Object Survey program to detect, track, catalogue, and characterize certain near-earth asteroids and comets (H. Rept. 109–158). **Page 14411**

Speaker: Read a letter from the Speaker wherein he appointed Representative Aderholt to act as speaker pro tempore for today. **Page 14333**

Recess: The House recessed at 12:38 p.m and reconvened at 2 p.m. **Page 14333**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Recognizing National Homeownership Month: H. Res. 312, recognizing National Homeownership Month and the importance of homeownership in the United States; **Page 14335**

Little Rock Central High School Desegregation 50th Anniversary Commemorative Coin Act: H.R. 358, amended, to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the desegregation of the Little Rock Central High School in Little Rock, Arkansas; **Page 14337**

Sense of Congress that a Caribbean-American Heritage Month should be established: H. Con. Res. 71, expressing the sense of Congress that there should be established a Caribbean-American Heritage Month; **Page 14348**

John J. Hainkel Post Office Building Designation Act: H.R. 2346, amended, to designate the facility of the United States Postal Service located at 105 NW Railroad Avenue in Hammond, Louisiana, as the "John J. Hainkel Post Office Building"; **Page 14350**

Agreed to amend the title so as to read: to designate the facility of the United States Postal Service located at 105 NW Railroad Avenue in Hammond, Louisiana, as the "John J. Hainkel, Jr., Post Office Building". **Page 14352**

Mayor Joseph S. Daddona Memorial Post Office Designation Act: H.R. 2490, to designate the facility of the United States Postal Service located at 442 West Hamilton Street, Allentown, Pennsylvania, as the "Mayor Joseph S. Daddona Memorial Post Office"; **Page 14352**

Commemorating Mystic Seaport: the Museum of America and the Sea in recognition of its 75th year: H. Con. Res. 152, amended, commemorating Mystic Seaport: the Museum of America and the Sea in recognition of its 75th year; **Page 14353**

Delaware River Protection Act of 2005: H.R. 1412, amended, to amend the Ports and Waterways Safety Act to require notification of the Coast Guard regarding obstructions to navigation; **Page 14354**

Sand Creek Massacre National Historic Site Trust Act of 2005: H.R. 481, amended, to further the purposes of the Sand Creek Massacre National Historic Site Establishment Act of 2000; **Page 14357**

Authorizing the establishment of a memorial to regiments from New Hampshire at Antietam National Battlefield: H.R. 1084, amended, to authorize the establishment at Antietam National Battlefield of a memorial to the officers and enlisted men of the Fifth, Sixth, and Ninth New Hampshire Volunteer Infantry Regiments and the First New Hampshire Light Artillery Battery who fought in the Battle of Antietam on September 17, 1862; **Page 14359**

National Fish and Wildlife Foundation Reauthorization Act of 2005: H.R. 1428, amended, to authorize appropriations for the National Fish and Wildlife Foundation; **Page 14360**

National Geologic Mapping Reauthorization Act of 2005: H.R. 2362, amended, to reauthorize and amend the National Geologic Mapping Act of 1992; **Page 14361**

Upper White Salmon Wild and Scenic Rivers Act: H.R. 38, amended, to designate a portion of the White Salmon River as a component of the National Wild and Scenic Rivers System; **Page 14362**

Taunton, Massachusetts Special Resources Study Act: H.R. 1512, amended, to direct the Secretary of the Interior to conduct a special resources study regarding the suitability and feasibility of designating certain historic buildings and areas in Taunton, Massachusetts, as a unit of the National Park System; **Page 14363**

Honoring members of the U.S. Air Force who were killed in the June 25, 1996 terrorist bombing of the Khobar Towers U.S. military housing compound: H. Con. Res. 188, honoring the members of the United States Air Force who were killed in the June 25, 1996, terrorist bombing of the Khobar Towers United States military housing compound near Dhahran, Saudi Arabia; **Page 14365**

Sense of the House regarding the massacre at Srebrenica in July 1995: H. Res. 199, amended, expressing the sense of the House of Representatives regarding the massacre at Srebrenica in July 1995, by a yea-and-nay vote of 370 yeas to 1 nay, Roll No. 322; and **Pages 14366, 14374**

Urging the Government of the Republic of Albania to ensure that the elections on July 3, 2005 are conducted in accordance with international standards for free and fair elections: H. Con. Res. 155, urging the Government of the Republic of Albania to ensure that the parliamentary elections to be held on July 3, 2005, a conducted in accordance with international standards for free and fair elections, by a ⅔ yea-and-nay vote of 369 yeas to 1 nay, Roll No. 323. **Pages 14371, 14375**

Recess: The House recessed at 4:35 p.m. and reconvened at 6:33 p.m. **Page 14374**

Suspension—Proceedings Postponed: The House began consideration of the following measure under suspension of the rules. Further consideration will continue tomorrow, June 28.

Military Personnel Financial Services Protection Act: H.R. 458, amended, to prevent the sale of abusive insurance and investment products to military personnel. **Page 14340**

British-American Interparliamentary Group—Appointment: The Chair announced the Speaker's appointment of the following Members to the British-American Interparliamentary Group: Representative Petri, Chairman; and Representative Boozman, Vice Chairman. **Page 14374**

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages 14374–76. There were no quorum calls.

Adjournment: The House met at 12:30 p.m., and adjourned at 11:54 p.m.

Committee Meetings

TRANSPORTATION, TREASURY, AND HUD, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES APPROPRIATIONS FY 2006

Committee on Rules: Granted, by voice vote, an open rule providing one hour of general debate on H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. Under the rules of the House the bill shall be read for amendment by paragraph. The rule waives all points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill), except as specified in the resolution. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Knollenberg and Olver.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS FY 2006

Committee on Rules: Granted, by voice vote, an open rule providing one hour of general debate on H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. Under the rules of the House the bill shall be read for amendment by paragraph. The rule waives all points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill), except as specified in the resolution. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. Finally, the rule provides one motion to recommit with or without instructions. Testimony was head from Representatives Kolbe and Lowey.

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Tuesday, June 28, 2005

Senate

Chamber Action

Routine Proceedings, pages 14429–14522

Measures Introduced: Nine bills and two resolutions were introduced, as follows: S. 1318–1326, and S. Res. 182–183. **Page 14501**

Measures Passed:

Energy Policy Act: By 85 yeas to 12 nays (Vote No. 158), Senate passed H.R. 6, to ensure jobs for our future with secure, affordable, and reliable energy, as amended. **Page 14429**

Migratory Bird Commission: Senate agreed to S. Res. 183, recognizing the achievements and contributions of the Migratory Bird Commission on the occasion of its 72nd anniversary and the first day of sale of the 2005–2006 Migratory Bird Hunting and Conservation Stamp. **Page 14521**

National Mammography Week: Committee on the Judiciary was discharged from further consideration of S. Res. 154, designating October 21, 2005, as "National Mammography Day", and the resolution was then agreed to. **Page 14521**

National Veterans Awareness Week: Committee on the Judiciary was discharged from further consideration of S. Res. 155, designating the week of November 6 through November 12, 2005, as "National Veterans Awareness Week" to emphasize the need to develop educational programs regarding the contributions of veterans to the country, and the resolution was then agreed to. **Page 14521**

Interior Appropriations: Senate continued consideration of H.R. 2361, making appropriations for the Department of the Interior, Environment, and related agencies for the fiscal year ending September 30, 2006, taking action on the following amendments proposed thereto: **Page 14456**

Adopted:

Burns (for Frist/Reid) Amendment No. 1022, to provide for Congressional security relating to certain real property. **Pages 14456, 14459**

Burns (for Bond) Modified Amendment No. 1040, to set aside funds for the University of Missouri-Columbia to establish a wetland ecology center of excellence. **Pages 14456, 14459**

Kyl (for Smith) Amendment No. 1048, to require the Secretary of Agriculture to report to Congress on the rehabilitation of the Biscuit Fire area of southern Oregon. **Pages 14457, 14459**

Dorgan (for Byrd) Modified Amendment No. 1044, to set aside funds for the White Sulphur Springs Fish Hatchery. **Pages 14457, 14459**

Dorgan (for Reed) Amendment No. 1036, to modify certain administrative provisions relating to the brownfield site characterization and assessment program. **Pages 14456, 14459**

Dorgan (for Durbin) Amendment No. 1032, to prohibit the use of funds in contravention of the Executive order relating to Federal actions to address environmental justice in minority populations and low-income populations. **Pages 14456, 14459**

Dorgan (for Reed) Amendment No. 1037, to authorize recipients of grants provided under the brownfield site characterization and assessment program to use grant funds for reasonable administrative expenses. **Pages 14456, 14459**

Dorgan (for Conrad) Modified Amendment No. 1045, to set aside funds for a brownfields assessment of the Fortuna Radar Site. **Pages 14457, 14459**

Byrd/Cochran Amendment No. 1053, to provide funds for the Memorial to Martin Luther King, Jr. **Pages 14457, 14477**

Kyl Modified Amendment No. 1049, to provide certain earmarks for State and tribal assistance grant funds. **Pages 14457, 14492**

Dorgan (for Landrieu) Modified Amendment No. 1060, to make certain funding revisions relating to Historically Black Colleges and Universities, and Department of the Interior administrative expenses. **Pages 14457, 14492**

Dorgan (for Bingaman) Modified Amendment No. 1055, to provide for the consideration of the effect of competitive sourcing on wildland fire management activities. **Pages 14457, 14492**

Dorgan (for Obama) Amendment No. 1061, to provide that none of the funds made available in this Act may be used in contravention of 15 U.S.C. section 2682(c)(3) or to delay the implementation of that section. **Pages 14457, 14492**

Dorgan (for Bingaman) Modified Amendment No. 1030, to modify a provision relating to funds appropriated for Bureau of Indian Affairs postsecondary schools. **Pages 14456, 14492**

Burns (for Coburn) Modified Amendment No. 1020, to express the Sense of the Senate that defense spending should not be underfunded to support increases in nondefense spending. **Pages 14457, 14492**

Dorgan (for Bingaman) Amendment No. 1031, to set aside additional amounts for Youth Conservation Corps projects. **Pages 14456, 14492**

Dorgan (for Bingaman) Amendment No. 1058, to provide a substitute for title V, Facility Realignment and Enhancement Act of 2005. **Pages 14457, 14492**

Rejected:

By 33 yeas to 59 nays (Vote No. 160), Burns (for Coburn) Amendment No. 1003, to require conference report inclusion of limitations, directives, and earmarks. **Pages 14456, 14477, 14480**

Withdrawn:

Burns (for Voinovich) Amendment No. 1010, to prohibit the use of funds to take certain land into trust without the consent of the Governor of the State in which the land is located. **Pages 14456, 14467**

Dorgan (for Kerry) Amendment No. 1029, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, for the Veterans Health Administration. **Pages 14456, 14469**

Burns (for Coburn) Amendment No. 1015, to transfer funding to Wildland Fire Management from the National Endowment for the Arts and the National Endowment for the Humanities. **Pages 14456, 14470**

Burns (for Coburn) Amendment No. 1002, to reduce total appropriations in the bill by 1.7 percent for the purpose of fully funding the Department of Defense. **Pages 14456, 14470, 14478**

Salazar Amendment No. 1038, to provide additional funds for the payment in lieu of taxes program, with an offset. **Pages 14456, 14492**

Salazar Amendment No. 1039, to provide that certain user fees collected under the Land and Water Conservation Act of 1965 be paid to the States. **Pages 14456, 14492**

Burns (for Warner) Amendment No. 1042, to set aside funds for the replacement of the main gate facility at the Wolf Trap National Park for the Performing Arts, Virginia. **Pages 14456, 14492**

Burns (for Ensign) Amendment No. 1012, to provide for the conveyance of certain Bureau of Land Management land in the State of Nevada to the Las Vegas Motor Speedway. **Pages 14456, 14492**

Dorgan (for Feingold) Amendment No. 1043, to require the Government Accountability Office to conduct an audit of the competitive sourcing program of the Forest Service. **Pages 14457, 14492**

Kyl (for Inhofe) Amendment No. 1051, to encourage competition in assistance agreements awarded by the Environmental Protection Agency. **Pages 14457, 14492**

Dorgan (for Bingaman) Amendment No. 1054, to set aside additional amounts for Youth Conservation Corps projects. **Pages 14457, 14492**

Dorgan (for Bingaman) Amendment No. 1056, to strike the title providing for the disposition of Forest

Service land and the realignment of Forest Service facilities. **Pages 14457, 14492**

Dorgan (for Bingaman) Amendment No. 1057, to extend the Forest Service conveyances pilot program. **Pages 14457, 14492**

Dorgan (for Obama) Amendment No. 1062, to provide that of the funds made available under the heading "Environmental Programs and Management," not less than $100,000 shall be made available to issue the proposed rule required under 15 U.S.C. section 2682(c)(3) by November 1, 2005, and promulgate the final rule required under 15 U.S.C. section 2682(c)(3) by September 30, 2006. **Pages 14457, 14492**

Pending:

Dorgan (for Boxer) Amendment No. 1023, to prohibit the use of funds by the Administrator of the Environmental Protection Agency to accept, consider, or rely on third-party intentional dosing human studies for pesticides or to conduct intentional dosing human studies for pesticides. **Page 14456**

Dorgan Amendment No. 1025, to require Federal reserve banks to transfer certain surplus funds to the general fund of the Treasury, to be used for the provision of Indian health care services. **Page 14456**

Sununu/Bingaman Amendment No. 1026, to prohibit the use of funds to plan, design, study or construct certain forest development roads in the Tongass National Forest. **Pages 14456, 14481**

Dorgan (for Sarbanes) Amendment No. 1046, to provide for a study of the feasibility of designating the Captain John Smith Chesapeake National Historic Watertrail as a national historic trail. **Page 14457**

Kyl Amendment No. 1050, to modify the formula for the allotment of grants to States for the establishment of State water pollution control revolving funds. **Page 14457**

Byrd (for Murray) Amendment No. 1052, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, for the Veterans Health Administration. **Pages 14457, 14465, 14469, 14478, 14490**

Dorgan Amendment No. 1059, to facilitate family travel to Cuba in humanitarian circumstance. **Page 14457**

During consideration of this measure today, the Senate also took the following action:

By 17 yeas to 75 nays (Vote No. 159), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Burns (for Coburn) Amendment No. 1019, to transfer funding to the Special Diabetes Program for Indians and the Alcohol and Substance Abuse Program within the Indian Health Service from funding for federal land acquisition. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell. **Pages 14456, 14470, 14475, 14480**

A unanimous-consent time agreement was reached providing for consideration of certain amendments, with votes to occur in relation to the amendments, with no second-degree amendments in order to the amendments prior to the votes; provided further, that following disposition of the amendments, the bill be read a third time and the Senate then vote on final passage of the bill. **Page 14493**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m. on Wednesday, June 29, 2005. **Page 14522**

Nominations Received: Senate received the following nominations:

Phillip Jackson Bell, of Georgia, to be Deputy Under Secretary of Defense for Logistics and Materiel Readiness.

Ronald M. Sega, of Colorado, to be Under Secretary of the Air Force.

David H. McCormick, of Pennsylvania, to be Under Secretary of Commerce for Export Administration.

Darryl W. Jackson, of the District of Columbia, to be an Assistant Secretary of Commerce.

Susan P. Bodine, of Maryland, to be Assistant Administrator, Office of Solid Waste, Environmental Protection Agency.

John Hillen, of Virginia, to be an Assistant Secretary of State (Political-Military Affairs).

Josette Sheeran Shiner, of Virginia, to be an Under Secretary of State (Economic, Business, and Agricultural Affairs).

Gillian Arlette Milovanovic, of Pennsylvania, to be Ambassador to the Republic of Macedonia.

Michael Retzer, of Mississippi, to be Ambassador to the United Republic of Tanzania.

Eric M. Thorson, of Virginia, to be Inspector General, Small Business Administration.

2 Air Force nominations in the rank of general.

Navy nomination in the rank of admiral. **Page 14522**

Messages From the House: **Page 14500**

Measures Referred: **Page 14500**

Executive Communications: **Page 14500**

Additional Cosponsors: **Page 14501**

Statements on Introduced Bills/Resolutions: **Page 14504**

Additional Statements: **Page 14497**

Amendments Submitted: **Page 14520**

Authority for Committees to Meet: **Page 14520**

Privilege of the Floor: **Page 14521**

Record Votes: Three record votes were taken today. (Total—160) **Pages 14456, 14480**

Adjournment: Senate convened at 9:45 a.m., and adjourned at 9:02 p.m. until 9:30 a.m., on Wednesday, June 29, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 14522.)

Committee Meetings

FEDERAL CROP INSURANCE

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine the implementation of the Agricultural Risk Protection Act of 2000 and related crop insurance issues, after receiving testimony from Keith Collins, Chief Economist, and Ross J. Davidson, Jr., Administrator, Risk Management Agency, both of the Department of Agriculture; Ron Brichler, Great American Insurance Company, Cincinnati, Ohio, on behalf of the American Association of Crop Insurers; Norman A. Nielsen, Associated Insurance Counselors, Inc., Preston, Iowa, on behalf of the Independent Insurance Agents and Brokers of America; Billy Rose, Crop 1 Insurance, Urbandale, Iowa; Bert Little, Tarleton State University Center for Agribusiness Excellence, Stevenville, Texas; Bruce A. Babcock, Iowa State University Center for Agricultural and Rural Development, Ames; Mike Clemens, Wimbledon, North Dakota, on behalf of the National Sunflower Association, U.S. Canola Association, and the American Soybean Association; and Ray Buttars, Weston, Idaho, on behalf of the National Association of Wheat Growers.

OVERSEAS BASING COMMISSION REPORT

Committee on Appropriations: Subcommittee on Military Construction and Veterans' Affairs concluded a hearing to examine the Commission on the Review of Overseas Military Facility Structure of the United States (Overseas Basing Commission) Report on the U.S. overseas military basing posture, after receiving testimony from Al Cornella, Chairman, Major General Lewis E. Curtis III, USAF (Ret.), Vice Chairman, and Vice Admiral Anthony A. Less, USN (Ret.), Brigadier General Keith Martin, Pennsylvania ARNG (Ret.), and Lieutenant General H.G. Taylor, USA (Ret.), each a Commissioner, all of the overseas Basing Commission; Philip W. Grone, Deputy Under Secretary for Installations and Environment, and Ryan Henry, Principal Deputy Under Secretary for Policy, both of the Department of Defense; and Rose Likins, Acting Assistant Secretary of State, Bureau of Political-Military Affairs.

LAND BILLS

Committee on Energy and Natural Resources: Subcommittee on National Parks concluded a hearing to examine S. 206, to designate the Ice Age Floods National Geologic Trail, S. 556, to direct the Secretary of the Interior and the Secretary of Agriculture to jointly conduct a study of certain land adjacent to the Walnut Canyon National Monument in the State of Arizona, S. 588, to amend the National Trails System Act to direct the Secretary of the Interior and the Secretary of Agriculture to jointly conduct a study on the feasibility of designating the Arizona Trail as a national scenic trail or a national historic trail, and S. 955, to direct the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of including in the National Park System certain sites in Williamson County, Tennessee, relating to the Battle of Franklin, after receiving testimony from Donald W. Murphy, Deputy Director, National Park Service, Department of the Interior; Mayor Tom Miller, Franklin, Tennessee; Elizabeth Archuleta, Coconino County Board of Supervisors, Flagstaff, Arizona; Gary Kleinknecht, Ice Age Floods Institute, Kennewick, Washington; and Larry Snead, Arizona Trail Association, Phoenix.

BUSINESS MEETING

Committee on Finance: Committee met to begin markup of S. 1307, to implement the Dominican Republic-Central America-United States Free Trade Agreement, and S.J. Res. 18, approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, but did not complete action thereon, and will meet again on Wednesday, June 29, 2005.

MEDICAID

Committee on Finance: Committee held a hearing to examine problems that threaten the long term sustainability of Medicaid, focusing on the incidence of Medicaid waste, fraud and abuse, receiving testimony from Daniel R. Levinson, Inspector General, and George M. Reeb, Assistant Inspector General, Centers for Medicare and Medicaid Services Audits, and Dennis G. Smith, Director, Center for Medicaid and State Operations, Centers for Medicare and Medicaid Services, all of the Department of Health and Human Services; Leslie G. Aronovitz and Kathryn Allen, each a Director, Health Care, both of the Government Accountability Office; Massachusetts Assistant Attorney General Nicholas J. Messuri, Boston, on behalf of the National Association of Medicaid Fraud Control Units; Barbara C. Edwards, Ohio Department of Job and Family Services, Columbus; Timothy W. Westmoreland, Georgetown University, and James W. Moorman, Taxpayers Against Fraud, both of Washington, D.C.; and Charles J. Milligan, Jr., University of Maryland Center for Health Program Development and Management, Baltimore.

Hearing will continue tomorrow.

DEPARTMENT OF DEFENSE SECURITY CLEARANCE PROCESS

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia concluded a hearing to examine the security clearance process of the Department of Defense (DOD), focusing on the transfer of investigative responsibilities from DOD to the Office of Personnel Management (OPM), including the impact this shift will have on the ability to investigate and adjudicate security clearances in a thorough and expeditious manner, including strategies employed by DOD and OPM to remove the Personnel Security Clearance Program from the high-risk list, after receiving testimony from Derek B. Stewart, Director, Defense Capabilities and Management, Government Accountability Office; Kathy L. Dillaman, Deputy Associate Director for Human Resource Products and Services, Center for Federal Investigative Services, Office of Personnel Management; and Heather Anderson, Director, Strategic Integration, Office of the Deputy Under Secretary of Defense, Counterintelligence and Security, and Acting Director, Defense Security Service.

INDIAN GAMING

Committee on Indian Affairs: Committee concluded an oversight hearing to examine regulation of Indian gaming, after receiving testimony from Vivian Juan-Sanders, Tohono O'odham Nation, Sells, Arizona; Dallas Massey, Sr., White Mountain Apache Tribe, Whiteriver, Arizona, on behalf of Arizona Indian Gaming Association; Deron Marquez, San Manuel Band of Mission Indians, Patton, California; Joseph A. Pakootas, Colville Business Council, Nespelem, Washington, on behalf of the Confederated Tribes of the Colville Reservation; James "JC" Crawford, Sisseton-Wahpeton Oyate of the Lake Traverse Reservation, Agency Village, South Dakota; James W. Ransom, Saint Regis Mohawk Tribe, Akwesasne, New York; and Doreen Hagen, Prairie Island Indian Community, Welch, Minnesota.

VA'S MEDICAL CARE BUDGET

Committee on Veterans' Affairs: Committee concluded a hearing to examine budget forecasting and finances of the Veterans Health Administration, focusing on project resource requirements for the health care needs of veterans, current status of resources, and the budget formulation process and current budget status, after receiving testimony from R. James Nicholson, Secretary, and Jonathan Perlin, Under Secretary for Health, both of the Department of Veteran Affairs.

MEDICAID

Special Committee on Aging: Committee held a hearing to examine the structure of the Medicaid program and its use of mandatory and optional populations and benefits, focusing on how Congress can meet its budgetary obligations to find savings in Medicaid and strengthen the program for the long-term, receiving testimony from Pamela S. Hyde, New Mexico Human Services Department, Santa Fe; Diane Rowland, The Henry J. Kaiser Family Foundation, Howard Bedlin, National Council on the Aging, and Jeffrey S. Crowley, Georgetown University, all of Washington, D.C.; and Sister Karin Dufault, Catholic Health Association of the United States, Seattle, Washington.

Hearings recessed subject to call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 19 public bills, H.R. 3081–3099; and 1 resolution, H. Con. Res. 194, were introduced. **Page 14633**

Additional Cosponsors: **Page 14634**

Reports Filed: No reports were filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Jindal to act as speaker pro tempore for today. **Page 14523**

Chaplain: The prayer was offered today by Dr. Ruffin Snow, Senior Pastor, Tri-City Baptist Church in Conover, North Carolina. **Page 14525**

Recess: The House recessed at 9:23 a.m. and reconvened at 10 a.m. **Page 14525**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Junk Fax Prevention Act of 2005: S. 714, to amend section 227 of the Communications Act of 1934 (47 U.S.C. 227) relating to the prohibition on junk fax transmissions—clearing the measure for the President; and **Page 14530**

Military Personnel Financial Services Protection Act: Debated on June 27: H.R. 458, amended, to prevent the sale of abusive insurance and investment products to military personnel, by a ⅔ yea-and-nay vote of 405 yeas to 2 nays, Roll No. 324. **Page 14542**

Agreed to amend the title so as to read: to prevent the sale of abusive insurance and investment products to military personnel. **Page 14543**

Foreign Operations, Export Financing, and Related Programs Appropriations Act for FY 2006: The House passed H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, by a yea-and-nay vote of 393 yeas to 32 nays, Roll No. 335. **Pages 14550, 14572**

Agreed to limit further amendments made in order and the time for debate on such amendments. **Page 14572**

Agreed to:

Hooley of Oregon amendment that increases funding for International Narcotics Control and Law Enforcement; **Page 14566**

King of Iowa amendment that reduces, and then increases by the same amount, funding for the Global HIV/AIDS Initiative at the Department of State; **Page 14576**

Royce amendment (No. 4 printed in the Congressional Record of June 27) that increases funding for Nonproliferation, Anti-Terrorism, Demining, and Related Programs, and reduces it by the same amount; **Page 14588**

Schiff amendment that increases funding for Democracy Programs; **Page 14594**

Lee amendment that prohibits the use of funds for International Narcotics Control and Law Enforcement to transfer excess property of a U.S. Government agency to the Government of Haiti; **Page 14612**

Bradley amendment that prohibits the use of funds for Assistance for Eastern Europe and the Baltic States to assist Romania under the Support for Eastern European Democracy Act of 1989; **Page 14613**

Garrett of New Jersey amendment that prohibits the use of funds to send or otherwise pay for the attendance of more than 50 employees of a Federal department or agency at any single conference outside of the U.S.; **Page 14615**

Bonilla amendment that limits the funds for the Export-Import Bank while there is a vacancy in the position of the head of the Office of the Inspector General of the Bank; **Page 14616**

Beauprez amendment that prohibits the use of funds to provide assistance to foreign countries that refuse to extradite to the U.S. individuals accused of killing a law enforcement officer (by a recorded vote of 327 ayes to 98 noes, Roll No. 330); **Pages 14602, 14623**

Weiner amendment that prohibits the use of funds to finance any assistance to Saudi Arabia (by a recorded vote of 293 ayes to 132 noes, Roll No. 331); **Pages 14604, 14624**

Sanders amendment that prohibits the use of funds by the Export-Import Bank to approve an application for a long-term loan or loan guarantee with respect to a nuclear project in the People's Republic of China (by a recorded vote of 313 ayes 114 noes, Roll No. 332); and **Pages 14607, 14625**

Deal of Georgia amendment that prohibits the use of funds to provide assistance to any country with whom the U.S. as an extradition treaty and whose government has notified the State Department of its refusal to extradite certain accused criminals (by a recorded vote of 294 ayes to 132 noes, Roll No. 333). **Pages 14611, 14625**

Rejected:

Pitts amendment that sought to increase funding for the U.S. Agency for International Development Child Survival and Health Programs fund (by a recorded vote of 87 ayes to 326 noes, Roll No. 326; **Page 14568**

McGovern amendment (No. 6 printed in the Congressional Record of June 27) that sought to reduce funding for the Andean Counterdrug Initiative (by a recorded vote of 189 ayes to 234 noes, Roll No. 329); and **Pages 14578, 14622**

Hefley amendment that sought to reduce total appropriations in the bill by 1% (by a recorded vote of 117 ayes to 309 noes, Roll No. 334). **Pages 14620, 14626**

Withdrawn:

Otter amendment that was offered and subsequently withdrawn that sought to insert a new section regarding limitation on assistance for Palestinian Authority and the Palestinian People; **Page 14606**

Inslee amendment that was offered and subsequently withdrawn that sought to put a limitation on the use of funds by the Export-Import Bank; **Page 14617**

Jackson-Lee amendment that was offered and subsequently withdrawn that sought to prohibit the use of funds to return displaced persons from Chad to Sudan; **Page 14618**

Loretta Sanchez of California amendment that was offered and subsequently withdrawn that sought to prohibit the use of funds for International Military Education and Training to provide assistance for Vietnam; and **Page 14620**

Jackson-Lee amendment that was offered and subsequently withdrawn that sought to prohibit the use of funds for International Military Education and Training or the Foreign Military Financing Program in contravention of the child soldiers protocol to the Convention on the Rights of the Child. **Page 14621**

Point of Order sustained against:

Lee amendment that sought to provide emergency funding to the Global Fund to Fight AIDS, Tuberculosis and Malaria; **Page 14573**

Portion of section 565, beginning with the word "or" on page 113 line 26 through page 114 line 10, regarding Authority to Reduce Debt; **Page 14602**

Waters amendment that sought to express the sense of Congress that national elections should not be held in the Republic of Haiti until conditions have been established to ensure that the elections will be free and fair; and **Page 14614**

Capuano amendment that sought to authorize the President to use all necessary means to stop genocide in Darfur, Sudan. **Page 14615**

H. Res. 341, the rule providing for consideration of the bill was agreed to by voice vote, after agreeing to order the previous question by a recorded vote of 217 ayes to 189 noes, Roll No. 325. **Pages 14534, 14542**

Departments of Transportation, Treasury, and Housing and Urban Development, The Judiciary, District of Columbia, and Independent Agencies Appropriations Act for FY 2006—Rule for Consideration: The House agreed to H. Res. 342, the rule providing for consideration of H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, by a recorded vote of 219 ayes to 193 noes, Roll No. 328, after agreeing to order the previous question by a yea-and-nay vote of 263 yeas to 152 nays, Roll No. 327. **Pages 14543, 14570**

National Council on the Arts—Appointments: The Chair announced the Speaker's appointment of the following Members to the National Council on the Arts: Representatives McKeon and Tiberi. **Page 14628**

Read a letter from the Minority Leader wherein she appointed Representative McCollum to the National Council on the Arts. **Page 14628**

Board of Trustees of the John F. Kennedy Center for the Performing Arts—Appointment: The Chair announced the Speaker's appointment of Representative Kennedy of Rhode Island to the Board of Trustees of the John F. Kennedy Center for the Performing Arts. **Page 14628**

Private Calendar: Agreed that the call of the Private Calendar be in order tomorrow, June 29. **Page 14628**

Senate Message: Message received from the Senate today appears on page 14526.

Senate Referrals: S. 260 was referred to the Committee on Resources; and S. 1316 was held at the desk. **Page 14633**

Quorum Calls—Votes: Three yea-and-nay votes and nine recorded votes developed during the proceedings of today and appear on pages 14541–43, 14569–72, and 14623–28. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 11:10 p.m.

Committee Meetings

VETERANS AFFAIRS

Committee on Appropriations: Subcommittee on Military Quality of Life, and Veterans Affairs, and Related Agencies held a hearing on Veterans Affairs. Testimony was heard from the following officials of the Department of Veterans Affairs: R. James Nicholson, Secretary; Jonathan B. Perline, M.D., Under Secretary, Health; and Tim S. McClain, General Counsel; and Stephen L. Jones, Principal Deputy Assistant Secretary, Health Affairs, Department of Defense.

AIR FORCE ACADEMY—RELIGIOUS CLIMATE

Committee on Armed Services: Subcommittee on Military Personnel held a hearing on the religious climate at the U.S. Air Force Academy. Testimony was heard from LTG Roger A. Brady, USAF, Deputy Chief of Staff, Personnel, Department of the Air Force; and public witnesses.

PRIVATE SECTOR AID TO HIGH SCHOOLS

Committee on Education and the Workforce: Subcommittee on Education Reform held a hearing entitled "How the Private Sector is Helping States and Communities Improve High School Education." Testimony was heard from public witnesses.

HEALTH CARE CHOICE ACT OF 1995

Committee on Energy and Commerce: Subcommittee on Health held a hearing on H.R. 2355, Health Care Choice Act of 2005. Testimony was heard from public witnesses.

D.C. GUN BAN

Committee on Government Reform: Held a hearing entitled "Under Fire: Does the District of Columbia's Gun Ban Help or Hurt the Fight Against Crime?" Testimony was heard from the following officials of the District of Columbia: Anthony Williams, Mayor; and Charles H. Ramsey, Chief of Police, Metropolitan Police Department; and public witnesses.

MANUFACTURING REGULATION IMPACT

Committee on Government Reform: Subcommittee on Regulatory Affairs held a hearing entitled "The Impact of Regulation on U.S. Manufacturing: Spotlight on Department of Labor and Department of Transportation." Testimony was heard from Veronica Stidvent, Assistant Secretary, Policy, Department of Labor; Jeffrey A. Rosen, General Counsel, Department of Transportation; and public witnesses.

FISSILE MATERIALS SECURITY ABROAD

Committee on Homeland Security: Subcommittee on Prevention of Nuclear and Biological Attack held a hearing entitled "Pathways to the Bomb: Security of Fissile Materials Abroad." Testimony was heard from public witnesses.

LEGAL SERVICES CORPORATION: LEASING CHOICES AND LANDLORD RELATIONS

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held a hearing on the Legal Services Corporation: A Review of Leasing Choices and Landlord Relations. Testimony was heard from the following officials of the Legal Services Corporation: Frank B. Strickland, Chairman, Board of Directors; and R. Kirk West, Inspector General; and a public witness.

PATENT AND TRADEMARK FEE MODERNIZATION ACT; INTELLECTUAL PROPERTY JURISDICTION CLARIFICATION ACT

Committee on the Judiciary: Subcommittee on Courts, the Internet and Intellectual Property approved for full Committee action the following bills: H.R. 2791, United States Patent and Trademark Fee Modernization Act of 2005; and H.R. 2955, Intellectual Property Jurisdiction Clarification Act of 2005.

ALIEN GANG REMOVAL ACT

Committee on the Judiciary: Subcommittee on Immigration, Border Security, and Claims held a hearing on H.R. 2933, Alien Gang Removal Act of 2005. Testimony was heard from Representative Forbes; and public witnesses.

FUTURE OF NASA

Committee on Science: Held a hearing on The Future of NASA. Testimony was heard from Michael D. Griffin, Administrator, NASA.

SMALL BUSINESS INNOVATION AND RESEARCH

Committee on Science: Subcommittee on Environment, Technology, and Standard held a hearing on Small Business Innovation and Research: What is the Optimal role of Venture Capital? Testimony was heard from Representative Graves; and public witnesses.

CLEAN AIR ACT/AUTO REPAIR

Committee on Small Business: Subcommittee on Workforce, Empowerment and Government Programs held a hearing entitled "How the Clean Air Act Affects Auto Repair," focusing on H.R. 2048, Motor Vehicle Owners' Right to Repair Act of 2005. Testimony was heard from Representative Barton of Texas; and public witnesses.

MULTI-EMPLOYER PENSION PLAN RULES

Committee on Ways and Means: Subcommittee on Select Revenue Measures held a hearing on Funding Rules for Multiemployer Defined Benefit Plans in H.R. 2830, Pension Protection Act of 2005. Testimony was heard from Douglas Holtz-Eakin, Director, CBO; and public witnesses.

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Wednesday, June 29, 2005

Senate

Chamber Action

Routine Proceedings, pages 14658–14764

Measures Introduced: Twelve bills and two resolutions were introduced, as follows: S. 1327–1338, S.J. Res. 20, and S. Res. 184. **Page 14731**

Measures Reported:

Special Report entitled "Revised Allocation to Subcommittees of Budget Totals from the Concurrent Resolution for Fiscal Year 2006". (S. Rept. No. 109–95)

S. 1307, to implement the Dominican Republic-Central America-United States Free Trade Agreement. **Page 14731**

Measures Passed:

Congresswoman Shirley A. Chisholm Post Office Building: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of S. 571, to designate the facility of the United States Postal Service located at 1915 Fulton Street in Brooklyn, New York, as the "Congresswoman Shirley A. Chisholm Post Office Building", and the bill was then passed. **Pages 14665, 14666**

Boone Pickens Post Office: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of S. 775, to designate the facility of the United States Postal Service located at 123 W. 7th Street in Holdenville, Oklahoma, as the "Boone Pickens Post Office", and the bill was then passed. **Pages 14665, 14666**

Brian P. Parrello Post Office Building: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of S. 904, to designate the facility of the United States Postal Service located at 1560 Union Valley Road in West Milford, New Jersey, as the "Brian P. Parrello Post Office Building", and the bill was then passed. **Pages 14665, 14666**

Dalip Singh Saund Post Office Building: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of H.R. 120, to designate the facility of the United States Postal Service located at 30777 Rancho California Road in Temecula, California, as the "Dalip Singh Saund Post Office Building", and the bill was then passed, clearing the measure for the President. **Pages 14665, 14666**

Sergeant First Class John Marshall Post Office Building: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of H.R. 289, to designate the facility of the United States Postal Service located at 8200 South Vermont Avenue in Los Angeles, California, as the "Sergeant First Class John Marshall Post Office Building", and the bill was then passed, clearing the measure for the President. **Pages 14665, 14666**

Arthur Stacey Mastrapa Post Office Building: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of H.R. 324, to designate the facility of the United States Postal Service located at 321 Montgomery Road in Altamonte Springs, Florida, as the "Arthur Stacey Mastrapa Post Office Building", and the bill was then passed, clearing the measure for the President. **Pages 14665, 14666**

Ray Charles Post Office Building: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of H.R. 504, to designate the facility of the United States Postal Service located at 4960 West Washington Boulevard in Los Angeles, California, as the "Ray Charles Post Office Building", and the bill was then passed, clearing the measure for the President. **Pages 14665, 14666**

Linda White-Epps Post Office: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of H.R. 627, to designate the facility of the United States Postal Service located at 40

Putnam Avenue in Hamden, Connecticut, as the "Linda White-Epps Post Office", and the bill was then passed, clearing the measure for the President.

Pages 14665, 14666

Sergeant Byron W. Norwood Post Office Building: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of H.R. 1001, to designate the facility of the United States Postal Service located at 301 South Heatherwilde Boulevard in Pflugerville, Texas, as the "Sergeant Byron W. Norwood Post Office Building", and the bill was then passed, clearing the measure for the President.

Pages 14665, 14666

Judge Emilio Vargas Post Office Building: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of H.R. 1072, to designate the facility of the United States Postal Service located at 151 West End Street in Goliad, Texas, as the "Judge Emilio Vargas Post Office Building", and the bill was then passed, clearing the measure for the President. **Pages 14665, 14666**

Francis C. Goodpaster Post Office Building: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of H.R. 1082, to designate the facility of the United States Postal Service located at 120 East Illinois Avenue in Vinita, Oklahoma, as the "Francis C. Goodpaster Post Office Building", and the bill was then passed, clearing the measure for the President. **Pages 14665, 14666**

Mayor Tony Armstrong Memorial Post Office: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of H.R. 1236, to designate the facility of the United States Postal Service located at 750 4th Street in Sparks, Nevada, as the "Mayor Tony Armstrong Memorial Post Office", and the bill was then passed, clearing the measure for the President. **Pages 14665, 14666**

Captain Mark Stubenhofer Post Office Building: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of H.R. 1460, to designate the facility of the United States Postal Service located at 6200 Rolling Road in Springfield, Virginia, as the "Captain Mark Stubenhofer Post Office Building", and the bill was then passed, clearing the measure for the President. **Pages 14665, 14666**

Ed Eilert Post Office Building: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of H.R. 1524, to designate the facility of the United States Postal Service located at 12433 Antioch Road in Overland Park, Kansas, as the "Ed Eilert Post Office Building", and the bill was then passed, clearing the measure for the President.

Pages 14665, 14666

Honorable Judge George N. Leighton Post Office Building: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of H.R. 1542, to designate the facility of the United States Postal Service located at 695 Pleasant Street in New Bedford, Massachusetts, as the "Honorable Judge George N. Leighton Post Office Building", and the bill was then passed, clearing the measure for the President.

Pages 14665, 14666

Floyd Lupton Post Office: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of H.R. 2326, to designate the facility of the United States Postal Service located at 614 West Old County Road in Belhaven, North Carolina, as the "Floyd Lupton Post Office", and the bill was then passed, clearing the measure for the President.

Pages 14665, 14666

Department of the Interior Appropriations: By a unanimous vote of 94 yeas (Vote No. 168), Senate passed H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, after taking action on the following amendments proposed thereto:

Page 14667

Adopted:

By 57 yeas to 40 nays (Vote No. 161), Burns Amendment No. 1068, to direct the Administrator of the Environmental Protection Agency to conduct a review of all third-party intentional human dosing studies to identify or quantify toxic effects. **Page 14667**

By 60 yeas to 37 nays (Vote No. 162), Dorgan (for Boxer) Amendment No. 1023, to prohibit the use of funds by the Administrator of the Environmental Protection Agency to accept, consider, or rely on third-party intentional dosing human studies for pesticides or to conduct intentional dosing human studies for pesticides.

Page 14667

Dorgan (for Sarbanes) Amendment No. 1046, to provide for a study of the feasibility of designating the Captain John Smith Chesapeake National Historic Watertrail as a national historic trail. **Page 14702**

By a unanimous vote of 96 yeas (Vote No. 165), Santorum Amendment No. 1071 (to Amendment No. 1052), to provide additional funding for medical services provided by the Veterans Health Administration.

Pages 14685, 14703

By a unanimous vote of 96 yeas (Vote No. 166), Byrd (for Murray) Amendment No. 1052, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, for the Veterans Health Administration. **Page 14703**

Rejected:

By 39 yeas to 59 nays (Vote No. 164), Sununu/Bingaman Amendment No. 1026, to prohibit the use of funds to plan, design, study or construct certain forest development roads in the Tongass National Forest.

Pages 14678, 14684

Withdrawn:

Kyl Amendment No. 1050, to modify the formula for the allotment of grants to States for the establishment of State water pollution control revolving funds. **Page 14701**

During consideration of this measure today, the Senate also took the following action:

By 47 yeas to 51 nays (Vote No. 163), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Dorgan Amendment No. 1025, to require Federal reserve banks to transfer certain surplus funds to the general fund of the Treasury, to be used for the provision of Indian health care services. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell.

Pages 14676, 14684

By 60 yeas to 35 nays (Vote No. 167), two-thirds of those Senators voting, a quorum being present, not having voted in the affirmative, the motion to suspend paragraph 4 of Rule XVI to consider Dorgan Amendment No. 1059, to facilitate family travel to Cuba in humanitarian circumstance, was not agreed to. Subsequently, the Chair sustained a point of order against the amendment, as being in violation of Rule XVI of the Standing Rules of the Senate which prohibits legislation on appropriations matters, and the amendment thus fell.

Pages 14699, 14701, 14704

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Burns, Stevens, Cochran, Domenici, Bennett, Gregg, Craig, Allard, Dorgan, Byrd, Leahy, Reid, Feinstein, Mikulski, and Kohl. **Page 14763**

CAFTA Implementation: By 61 yeas to 34 nays (Vote No. 169), Senate agreed to the motion to proceed to consideration of S. 1307, to implement the Dominican Republic-Central America-United States Free Trade Agreement, and Senate then began consideration of the bill.

Page 14715

A unanimous-consent agreement was reached providing for further consideration of the bill at 9 a.m. on Thursday, June 30, 2005, provided that there then be 16 hours of debate remaining under the statute with the time equally divided; further, that the time on the Democratic side be divided with 5 hours under the control of Senator Dorgan and 3 hours under the control of Senator Baucus.

Page 14763

Messages From the President: Senate received the following message from the President of the United States:

Transmitting a report, pursuant to the International Emergency Economic Powers Act, an executive order that takes additional steps with respect to the national emergency declared in Executive Order 12938 of November 14, 1994, amending Executive Order 12938 and Executive Order 13094 of July 28, 1998 by blocking property of weapons of mass destruction proliferators and their supporters; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–16)

Page 14729

Nominations Received: Senate received the following nominations:

A.J. Eggenberger, of Montana, to be a Member of the Defense Nuclear Facilities Safety Board for a term expiring October 18, 2008.

Keith E. Eastin, of Texas, to be an Assistant Secretary of the Army.

Kim Kendrick, of the District of Columbia, to be an Assistant Secretary of Housing and Urban Development.

Patrick M. O'Brien, of Minnesota, to be Assistant Secretary for Terrorist Financing, Department of the Treasury.

Robert M. Kimmitt, of Virginia, to be Deputy Secretary of the Treasury.

Karen P. Hughes, of Texas, to be Under Secretary of State for Public Diplomacy, with the rank of Ambassador.

Kristen Silverberg, of Texas, to be an Assistant Secretary of State (International Organization Affairs).

Robert A. Mosbacher, of Texas, to be President of the Overseas Private Investment Corporation.

James Cain, of North Carolina, to be Ambassador to Denmark.

Julie L. Myers, of Kansas, to be an Assistant Secretary of Homeland Security.

Ronald E. Meisburg, of Virginia, to be General Counsel of the National Labor Relations Board for a term of four years.

Terrell Halaska, of the District of Columbia, to be Assistant Secretary for Legislation and Congressional Affairs, Department of Education.

Peter Schaumber, of the District of Columbia, to be a Member of the National Labor Relations Board for a term of five years expiring August 27, 2010.

John O. Agwunobi, of Florida, to be an Assistant Secretary of Health and Human Services.

1 Air Force nomination in the rank of general

5 Army nominations in the rank of general.

2 Navy nominations in the rank of admiral.

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Nominations Withdrawn: Senate received notification of withdrawal of the following nominations:

Ronald E. Meisburg, of Virginia, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2008, which was sent to the Senate on January 24, 2005.

Messages From the House: Page 14729

Measures Referred: Page 14730

Measures Placed on Calendar: Page 14730

Measures Read First Time: Page 14730

Executive Communications: Page 14730

Executive Reports of Committees: Page 14731

Additional Cosponsors: Page 14732

Statements on Introduced Bills/Resolutions: Page 14733

Additional Statements: Page 14727

Amendments Submitted: Page 14760

Authority for Committees to Meet: Page 14762

Privilege of the Floor: Page 14763

Record Votes: Nine record votes were taken today. (Total—169)

Pages 14676, 14684, 14703, 14704, 14714, 14715

Adjournment: Senate convened at 9:30 a.m., and adjourned at 9:41 p.m. until 9 a.m., on Thursday, June 30, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 14763.)

Committee Meetings

APPROPRIATIONS: DEPARTMENT OF STATE

Committee on Appropriations: Subcommittee on State, Foreign Operations, and Related Programs approved for full Committee consideration proposed legislation making appropriations for the Department of State and foreign operations for the fiscal year ending September 30, 2006.

NOMINATIONS

Committee on Armed Services: Committee concluded a hearing to examine the nominations of General Peter Pace, USMC, for reappointment to the grade of general and to be Chairman, Joint Chiefs of Staff, who was introduced by Senator Nelson (FL), Admiral Edmund P. Giambastiani, Jr., USN, for reappointment to the grade of admiral and to be Vice Chairman, Joint Chiefs of Staff, who was introduced by Senator Clinton, General T. Michael Moseley, USAF, for reappointment to the grade of general and to be Chief of Staff of the Air Force, who was introduced by Senator Cornyn, Eric S. Edelman, of Virginia, to be Under Secretary of Defense for Policy, who was introduced by Senator Allen, Daniel R. Stanley, of Kansas, to be Assistant Secretary of Defense for Legislative Affairs, who was introduced by Senator Roberts and former Senator Bob Dole, and James A. Rispoli, of Virginia, to be Assistant Secretary of Energy for Environmental Management, after the nominees testified and answered questions in their own behalf.

GUANTANAMO BAY

Committee on Armed Services: Committee met in closed session to receive a briefing regarding detention operations and interrogation procedures at Guantanamo Bay from Brigadier General Jay Hood, USA, Commanding General, Joint Task Force—Guantanamo Bay.

SEVERE WEATHER

Committee on Commerce, Science, and Transportation: Subcommittee on Disaster Prevention and Prediction concluded a hearing to examine national weather service issues, focusing on the Federal role in researching, forecasting, and warning the public about hurricanes and tornadoes, after receiving testimony from Max Mayfield, Director, Tropical Prediction Center/National Hurricane Center, and Dennis McCarthy, Director, Office of Climate, Water, and Weather Services, both of the National Weather Service, National Oceanic and Atmospheric Administration, Department of Commerce; Asbury H. Sallenger, Jr., Oceanographer, U.S. Geological Survey, Department of the Interior; Doug Ahlberg, Lancaster County Emergency Management, Lincoln, Nebraska; Bill Walsh, WCSC Live 5 News, Charleston, South Carolina; Marc L. Levitan, Louisiana State University Hurricane Center, Baton Rouge, on behalf of the American Association for Wind Engineering; and Timothy A. Reinhold, Institute for Business and Home Safety, Tampa, Florida.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the following measures:

S. 1307, to implement the Dominican Republic-Central America-United States Free Trade Agreement; and

S.J. Res. 18, approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

MEDICAID

Committee on Finance: Committee held hearings to examine problems that threaten the long term sustainability of Medicaid, focusing on the incidence of Medicaid waste, fraud and abuse, including pharmaceutical pricing schemes perpetrated against state Medicaid programs, receiving testimony from Timothy J. Coleman, Senior Counsel to the Deputy Attorney General, Department of Justice; Robert A. Vito, Regional Inspector General for Evaluation and Inspections, Philadelphia, Office of the Inspector General, Department of Health and Human Services; Patrick J. O'Connell, Texas Office of the Attorney General, Austin; Paul J. Pickerell, Oregon Department of Human Services, Eugene; Julie Stone-Axelrad, Analyst in Social Legislation, Domestic Social Policy Division, Congressional Research Service, Library of Congress; Marjorie E. Powell, Pharmaceutical Research Manufacturers of America, and Judith Feder, Georgetown University Public Policy Institute, both of Washington, D.C.; Joyce Ruddock, MetLife Insurance, Westport, Connecticut, on behalf of the American Council of Life Insurers; Daniel K. O'Brien, Erickson Retirement Communities, and Ruth C. Pundt, both of Parkville, Maryland; and Beatrice Manning, Stow, Massachusetts.

Hearings recessed subject to the call.

U.S. PASSPORT FRAUD

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine vulnerabilities in the United States passport system, focusing on how passport fraud is committed, what key fraud detection challenges the State Department faces, and what effect new passport examiner performance standards could have on fraud detection, after receiving testimony from Jess T. Ford, Director, International Affairs and Trade, Government Accountability Office; Michael L. Johnson, Former Special Agent in Charge (Miami Field Office), Diplomatic Security Service, and Frank E. Moss, Deputy Assistant Secretary for Passport Services, Bureau of Consular Affairs, both of the Department of State; Donna A. Bucella, Director, Terrorist Screening Center, Transportation Security Administration, Department of Homeland Security; and Thomas E. Bush III, Assistant Director, Criminal Justice Information Services Division, Federal Bureau of Investigation, Department of Justice.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported the following business items:

S. 1317, to provide for the collection and maintenance of cord blood units for the treatment of patients and research, and to amend the Public Health Service Act to authorize the Bone Marrow and Cord Blood Cell Transplantation Program to increase the number of transplants for recipients suitable matched to donors of bone marrow and cord blood, with an amendment in the nature of a substitute; and

The nomination of Tom Luce, of Texas, to be Assistant Secretary of Education for Planning, Evaluation, and Policy Development.

BUSINESS MEETING

Committee on Indian Affairs: Committee ordered favorably reported the following bills:

S.J. Res. 15, to acknowledge a long history of official depredations and ill-conceived policies by the United States Government regarding Indian tribes and offer an apology to all Native Peoples on behalf of the United States;

S. 374, to provide compensation to the Lower Brule and Crow Creek Sioux Tribes of South Dakota for damage to tribal land caused by Pick-Sloan projects along the Missouri River;

S. 113, to modify the date as of which certain tribal land of the Lytton Rancheria of California is deemed to be held in trust;

S. 881, to provide for equitable compensation to the Spokane Tribe of Indians of the Spokane Reservation for the use of tribal land for the production of hydropower by the Grand Coulee Dam;

S. 449, to facilitate shareholder consideration of proposals to make Settlement Common Stock under the Alaska Native Claims Settlement Act available to missed enrollees, eligible elders, and eligible persons born after December 18, 1971;

H.R. 797, to amend the Native American Housing Assistance and Self-Determination Act of 1996 and other Acts to improve housing programs for Indians;

H.R. 680, to direct the Secretary of Interior to convey certain land held in trust for the Paiute Indian Tribe of Utah to the City of Richfield, Utah;

S. 598, to reauthorize provisions in the Native American Housing Assistance and Self-Determination Act of 1996 relating to Native Hawaiian low-income housing and Federal loan guarantees for Native Hawaiian housing;

S. 1291, to provide for the acquisition of subsurface mineral interests in land owned by the Pascua Yaqui Tribe and land held in trust for the Tribe;

S. 1295, to amend the Indian Gaming Regulatory Act to provide for accountability and funding of the National Indian Gaming Commission;

S. 1239, to amend the Indian Health Care Improvement Act to permit the Indian Health Service, an Indian tribe, a tribal organization, or an urban Indian organization to pay the monthly part D premium of eligible Medicare beneficiaries;

S. 1231, to amend the Indian Self-Determination and Education Assistance Act to modify provisions relating to the National Fund for Excellence in American Indian Education, with an amendment in the nature of a substitute;

S. 1312, to amend a provision relating to employees of the United States assigned to, or employed by, an Indian tribe, and

S. 731, to recruit and retain more qualified individuals to teach in Tribal Colleges or Universities, with an amendment.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 26 public bills, H.R. 3100–3125; 1 private bill, H.R. 3126; and 3 resolutions, H.J. Res. 56; H. Con. Res. 195; and H. Res. 344, were introduced. **Page 14879**

Additional Cosponsors: **Page 14880**

Reports Filed: Reports were filed today as follows:

H. Res. 345, providing for consideration of motions to suspend the rules (H. Rept. 109–159); and

H. Res. 346, providing for consideration of H.R. 2864, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States (H. Rept. 109–160). **Page 14879**

Speaker: Read a letter from the Speaker wherein he appointed Representative Latham to act as speaker pro tempore for today. **Page 14765**

Chaplain: The prayer was offered today by Rev. Michael O. Canady, Director, Missions and Ministries Division, Louisiana Baptist Convention in Alexandria, Louisiana. **Page 14765**

Private Calendar: On the call of the Private calendar, the House passed H.R. 432, to require the Secretary of the Interior to permit continued occupancy and use of certain lands and improvements within Rocky Mountain National Park. **Page 14765**

Amending the Communications Satellite Act of 1962: S. 1282, to amend the Communications Satellite Act of 1962 to strike the privatization criteria for INTELSAT separated entities, remove certain restrictions on separated and successor entities to INTELSAT—clearing the measure for the President. **Page 14772**

Suspensions: The House agreed to suspend the rules and pass the following measure:

TANF Extension Act of 2005: H.R. 3021, amended, to reauthorize the Temporary Assistance for Needy Families block grant program through September 30, 2005. **Page 14772**

Departments of Transportation, Treasury, and Housing and Urban Development, The Judiciary, District of Columbia, and Independent Agencies Appropriations Act for FY 2006: The House began consideration of H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006. Further consideration will continue tomorrow, June 30. **Pages 14776, 14835, 14840**

Agreed in the House to the Knollenberg amendment correcting an error in the dollar amount on page 176 line 26 of the bill. **Page 14776**

Agreed to:

Knollenberg amendment that increases funding for the Office of the Secretary of Transportation; increases funding for Tax Law Enforcement for the IRS; and increases funding for the Community Development Fund; **Page 14787**

LaTourette amendment that increases funding for Grants to the National Railroad Passenger Corporation (agreed to limit the time for debate); **Page 14788**

Velázquez amendment that increases funding for Lead Hazard Reduction; **Page 14798**

Knollenberg amendment that increases funding for Operations of the FAA; **Page 14800**

Gary G. Miller of California amendment (No. 9 printed in the Congressional Record of June 28) that increases funding for the Community Development Fund; **Page 14820**

Corrine Brown of Florida amendment that strikes a provision relating to Amtrak routes funded under Grants to National Railroad Passenger Corporation (by a recorded vote of 269 ayes to 152 noes, Roll No. 336); **Pages 14804, 14835**

Al Green of Texas amendment (No. 3 printed in the Congressional Record of June 27) that increases funding for Fair Housing Activities (by a recorded vote of 231 ayes to 191 noes, Roll No. 338); **Pages 14818, 14836**

Nadler amendment that increases funding for Public and Indian Housing, Tenant-Based Rental Assistance (by a recorded vote of 225 ayes to 194 noes, Roll No. 339); **Pages 14824, 14837**

Davis of Alabama amendment that adds a new section regarding Revitalization of Severely Distressed Public Housing (agreed to limit the time for debate) (by a recorded vote of 248 ayes to 173 noes, Roll No. 340); **Pages 14832, 14838**

Nadler amendment that increases funding for the Housing Opportunities for Persons with AIDS; **Page 14842**

Maloney amendment (No. 8 printed in the Congressional Record of June 28), as modified, that increases funding for the White House Privacy and Civil Liberties Oversight Board; **Page 14856**

Hooley of Oregon amendment that increases funding for the High Intensity Drug Trafficking Areas Program (by a recorded vote of 315 ayes to 103 noes, Roll No. 343); and **Pages 14858, 14868**

Souder amendment (No. 17 printed in the Congressional Record of June 28) that increases funding for Federal Drug Control Programs (by a recorded vote of 268 ayes to 151 noes, Roll No. 344). **Pages 14859, 14868**

Rejected:

Kennedy of Minnesota amendment that sought to increase funding for Homeless Assistance Grants (by a recorded vote of 59 ayes to 362 noes, Roll No. 337); **Pages 14809, 14836**

Waters amendment that sought to increase funding for the Community Development Fund; **Page 14843**

King of Iowa amendment that sought to reduce funding for salaries and expenses for the U.S. Supreme Court (by a recorded vote of 42 ayes to 374 noes, Roll No. 341); and **Pages 14848, 14866**

Herseth amendment that sought to increase funding for salaries and expenses for Courts of Appeals, District Courts, and Other Judicial Services (by a recorded vote of 188 ayes to 232 noes, Roll No. 342). **Pages 14850, 14867**

Withdrawn:

Gingrey amendment (No. 1 printed in the Congressional Record of June 27) that was offered and subsequently withdrawn that sought to prohibit the use of funds to provide assistance under the community development block grant program for any private economic development project involving the obtaining of property by eminent domain; **Page 14829**

Kilpatrick amendment that was offered and subsequently withdrawn that sought to strike a provision in Title III, regarding Public and Indian Housing, and inserts new provisions; and **Page 14830**

Shuster amendment (No. 13 printed in the Congressional Record of June 29) that was offered and subsequently withdrawn that sought to increase funding for the Federal Buildings Fund of GSA. **Page 14862**

Point of Order sustained against:

Edwards of Texas amendment that sought to add a new title to the bill to provide funding for the Veterans Health Administration; **Page 14785**

Provision of the bill beginning with the word "to" on page 5 line 25 through the word "Fund" on line 26, regarding Payments to Air Carriers derived from the Airport and Airway Trust Fund; **Page 14798**

Poe amendment (No. 12 printed in the Congressional Record of June 28) that sought to increase funding for Federal Aviation Administration Operations; **Page 14800**

Section beginning with the word "for" on page 11 line 22 through the word "Code" on page 12 line 1, regarding Grants-In-Aid for Airports; **Page 14801**

Section beginning with the word "provides" on page 12 line 12 through the word "program" on line 17, regarding Grants-In-Aid for Airports; **Page 14801**

Section beginning with the words "not withstanding" on page 16 line 8 through line 17, regarding Federal-Aid Highways; **Page 14802**

Section 110 regarding Administrative Provisions for the Federal Housing Administration; **Page 14803**

Section 112 regarding a Bypass Bridge at Hoover Dam; **Page 14803**

Provision in section 130 beginning with the words "provided further" on page 28 line 15 through page 29 line 2, regarding Administrative Provisions of the National Highway Traffic Safety Administration; **Page 14803**

Provision beginning with the words "provided further" on page 32 line 25 through page 33 line 3, regarding Administrative Expenses for the Federal Transit Administration; **Page 14817**

The phrase "not withstanding any other provision of law" on page 34 line 4, regarding the Highway Trust Fund; **Page 14817**

Section 151 regarding Administrative Provisions for the Federal Transit Administration; **Page 14817**

Section 218 under Administrative Provisions in the Department of the Treasury, regarding the submission of a report to the Committees on Appropriations; **Page 14824**

Section 808 regarding the Buy America Act. **Page 14866**

H. Res. 342, the rule providing for consideration of the bill was agreed to yesterday, June 28.

Presidential Message: Read a message from the President wherein he reported that he issued an Executive Order that takes additional steps with respect to the national emergency regarding proliferation of weapons of mass destruction and the means of delivering them—referred to the Committee on International Relations and ordered printed (H. Doc. 109–38). **Page 14873**

Senate Message: Message received from the Senate today appears on page 14844.

Senate Referrals: S. 571, S. 775, and S. 904 were referred to the Committee on Government Reform. **Page 14879**

Quorum Calls—Votes: Nine recorded votes developed during the proceedings of today and appear on pages 14835–38 and 14866–69. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 12 midnight.

Committee Meetings

GUANTANAMO BAY—DETAINEE OPERATIONS

Committee on Armed Services: Held a hearing on detainee operations at Guantanamo Bay. Testimony was heard from the following officials of the Department of Defense: BG Jay Hood, USA, Commander; CSM Anthony Mendez, USA, Joint Detention Group; and CDR Cary Ostergaard, USN, Detainee Hospital Commander, all with the Joint Task Force Guantanamo.

SMALL BUSINESS TECHNOLOGIES

Committee on Armed Services: Subcommittee on Tactical Air and Land Forces and the Subcommittee on Projection Forces held a joint hearing on Small Business Technologies. Testimony was heard from the following officials of the U.S. Naval Academy, Department of the Navy: Dolores M. Etter, Distinguished Chair in Science and Technology, Electrical Engineering Department; and ENS Bradford L. Bonney, USN, Electrical Engineering Department.

PENSION PROTECTION ACT OF 2005

Committee on Education and the Workforce: Began markup of H.R. 2830, Pension Protection Act of 2005.

Will continue tomorrow.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Ordered reported the following bills: H.R. 2491, International Solid Waste Importation and Management Act of 2005; H.R. 1065, amended, United States Boxing Commission Act; and H.R. 3084, Drug Free Sports Act.

CREDIT RATING AGENCY DUOPOLY

Committee on Financial Services, Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises held a hearing entitled "Legislative Solutions for the Rating Agency Duopoly." Testimony was heard from public witnesses.

NEXT GENERATION INTERNET IPv6

Committee on Government Reform: Held a hearing entitled "To Lead or To Follow: The Next Generation Internet and the Transition to IPv6." Testimony was heard from Karen Evans, Administrator, Electronic Government and Information Technology, OMB; the following officials of the GAO: David Powner, Director, Information Technology Management Issues; and Keith Rhodes, Chief Technologist and Director, Center for Technology and Engineering; George G. Wauer, Director, Architecture and Interoperability, Office of the Assistant Secretary, Networks and Information Integration and Office of the Chief Information Officer, Department of Defense; and public witnesses.

NARCO-TERRORIST HIGH SEAS ENFORCEMENT

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing entitled "Interrupting Narco-terrorist Threats on the High Seas: Do We Have Enough Wind in Our Sails?" Testimony was heard from Ralph Utley, Acting United States Interdiction Coordinator, Office of National Drug Control Policy; the following officials of the Department of Homeland Security: ADM Dennis Sirois, USCG, Assistant Commandant for Operations, U.S. Coast Guard; and Charles E. Stallworth II, Acting Assistant Commissioner, Office of Air and Marine Operations, U.S. Customs and Border Protection; ADM Jeffrey J. Hathaway, Director, Joint Interagency Task Force South, Department of Defense; and Thomas M. Harrigan, Chief of Enforcement Operations, DEA, Department of Justice.

NEXT GENERATION OF NUCLEAR POWER

Committee on Government Reform: Subcommittee on Energy and Resources held a hearing entitled "The Next Generation of Nuclear Power." Testimony was heard from Robert Shane Johnson, Acting Director, Nuclear Energy, Science and Technology, Department of Energy; and public witnesses.

YUCCA MOUNTAIN PROJECT

Committee on Government Reform: Subcommittee on Federal Workforce and Agency Organization held a hearing entitled "Yucca Mountain Project: Digging for the Truth." Testimony was heard from Joseph Hevesi, Scientist, U.S. Geological Survey, Department of the Interior; and W. John Arthur III, Deputy Director, Office of Repository Development, Office of Civilian Radioactive Waste Management, Department of Energy.

AIR PASSENGER PRE-SCREENING

Committee on Homeland Security: Subcommittee on Economic Security, Infrastructure Protection, and Cybersecurity held a hearing entitled " Improving Pre-Screening of Aviation Passengers against Terrorist and Other Watch Lists." Testimony was heard from Justin Oberman, Assistant Administrator, Secure Flight and Registered Traveler, Department of Homeland Security; former Representative John B. Anderson, State of Illinois; and public witnesses.

HOMELAND SECURITY DEPARTMENT—MISSION-BASED BUDGETING

Committee on Homeland Security: Subcommittee on Management, Integration, and Oversight held a hearing entitled "Transforming the Department of Homeland Security Through Mission-based Budgeting." Testimony was heard from David M. Walker, Comptroller General of the United States, GAO; and public witnesses.

527 REFORM ACT OF 2005

Committee on House Administration: Ordered reported, as amended, without recommendation H.R. 513, 527 Reform Act of 2005.

GLOBAL WATER CRISIS

Committee on International Relations: Held a hearing on The Global Water Crisis: Evaluating U.S. Strategies to Enhance Access to Safe Water and Sanitation. Testimony was heard from the following officials of the Department of State: John F. Turner, Assistant Secretary, Bureau of Oceans and International Environmental Scientific Affairs; and Jackee Schafer, Deputy Assistant Administrator, Bureau for Economic Growth, Agriculture and Trade, U.S. Agency for International Development; and public witnesses.

The Subcommittee also held a briefing on this subject. The Subcommittee was briefed by Vanessa Tobin, Chief, Water Environment Sanitation Section, United Nations

Children's Fund; and Olav Kjorven, Director, Energy and Environment Group, Bureau for Development Policy, United Nations Development Program.

MISCELLANEOUS RESOLUTIONS; IRAQ'S TRANSITION TO DEMOCRACY

Committee on International Relations: Subcommittee on the Middle East and Central Asia approved for full Committee action the following measures: H. Con. Res. 187, amended, Expressing the sense of Congress concerning Uzbekistan; and H. Res. 343, Commending the State of Kuwait for granting women certain important political rights.

The Subcommittee also held a hearing on Iraq's Transition to Democracy. Testimony was heard from Richard Jones, Senior Advisor to the Secretary and Coordinator for Iraq, Department of State.

MISCELLANEOUS MEASURES

Committee on International Relations: Subcommittee on the Western Hemisphere approved for full Committee action the following measures: H.R. 611, amended, Haiti Economic and Infrastructure Reconstruction Act; H.R. 953, Social Investment and Economic Development Fund for the Americas Act of 2005; and H. Con. Res. 175, Acknowledging African descendants of the transatlantic slave trade in all of the Americas with an emphasis on descendants in Latin America and the Caribbean, recognizing the injustices suffered by these African descendants, and recommending that the United States and the international community work to improve the situation of Afro-descendant communities in Latin America and the Caribbean.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Ordered reported the following bills: H.R. 184, amended, Controlled Substances Export Reform Act of 2005; H.R. 869, to amend the Controlled Substances Act to lift the patient limitation on prescribing drug addiction treatments by medical practitioners in group practices; H.R. 3020, United States Parole Commission Extension and Sentencing Commission Authority Act of 2005; and H.R. 1442, amended, To complete the codification of title 46, United States Code "Shipping," as positive law.

WATER RESOURCES DEVELOPMENT ACT OF 2005

Committee on Rules: Granted by voice vote, a structured rule providing one hour of general debate on H.R. 2864, Water Resources Development Act of 2005, equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill shall be considered as an original bill for the purpose of amendment. The rule waives all points of order against the committee amendment in the nature of a substitute. The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. The rule provides that the amendments printed in the report may be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony from Representatives Duncan, Flake, Oberstar, Eddie Bernice Johnson of Texas, Blumenauer and Stupak.

PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Committee on Rules: Granted, by voice vote, a rule providing that suspensions will be in order at any time on the legislative day of Thursday, June 30, 2005. The rule provides that the Speaker or his designee shall consult with the Minority Leader or her designee on any suspension considered under the rule. The rule provides that it shall be in order, any rule of the House to the contrary notwithstanding, to consider concurrent resolutions providing for adjournment of the House and Senate during the month of July.

U.S. NANOTECHNOLOGY

Committee on Science: Subcommittee on Research held a hearing on Nanotechnology: Where Does the U.S. Stand? Testimony was heard from Floyd Kvamme, Co-Chair, President's Council of Advisors on Science and Technology; and public witnesses.

NASA AUTHORIZATION ACT OF 2005

Committee on Science: Subcommittee on Space approved for full Committee action, as amended, H.R. 3070, National Aeronautics and Space Administration Authorization Act of 2005.

GENETICALLY MODIFIED CROPS

Committee on Small Business: Subcommittee on Rural Enterprises, Agriculture and Technology held a hearing entitled "Different Applications for Genetically Modified Crops." Testimony was heard from public witnesses.

OVERSIGHT—MARITIME TRANSPORTATION SECURITY ACT IMPLEMENTATION

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation held an oversight hearing on the Implementation of the Maritime Transportation Security Act. Testimony was heard from the following officials of the U.S. Coast Guard, Department of Homeland Security: RADM Craig E. Bone, USCG, Director, Port Security, U.S. Coast Guard; and Robert Jacksta, Executive Director, Border Security and Facilitation, Office of Field Operations, U.S. Customs and Border Protection.

OVERSIGHT—VETERANS TRANSITION PROGRAMS

Committee on Veterans' Affairs: Subcommittee on Economic Opportunity held an oversight hearing on the Transition Assistance Program and the Disabled Transition Assistance Program. Testimony was heard from the following officials of the Department of Defense: MG Ronald G. Young, Director, National Guard Bureau Joint Staff; and Craig W. Duehring, Principal Deputy Assistant Secretary, Reserve Affairs; Judith Caden, Director, Vocational Rehabilitation and Employment Service, Veterans Benefits Administration, Department of Veterans Affairs; John M. McWilliam, Deputy Assistant Secretary, Operations and Management, Veterans' Employment and Training Service, Department of Labor; Cynthia Bascetta, Director, Veterans' Health and Benefits Issues, GAO; a representative of a veterans' organization; and a public witness.

PRISON INMATES TAX FRAUD

Committee on Ways and Means: Subcommittee on Oversight held a hearing to Examine Tax Fraud Committed by Prison Inmates. Testimony was heard from Representatives Davis of Florida, Keller and Feeney; the following officials of the Department of the Treasury: Nancy J. Jardini, Chief, Criminal Investigation, IRS; and J. Russell George, Treasury Inspector General for Tax Administration; John M. Moriarty, Inspector General, Department of Criminal Justice, State of Texas; and Jeff Bentley, Criminal Investigator, Department of Corrections, State of South Carolina; and a public witness.

Joint Meetings

UZBEKISTAN CRISIS

Commission on Security and Cooperation in Europe (Helsinki Commission): Commission concluded a hearing to examine the ongoing crisis in Uzbekistan and its implications for the United States, after receiving testimony from Muhammed Salih, ERK Democratic Party of Uzbekistan, and Galima Bukharbaeva, Institute for War and Peace Reporting, both of Tashkent, Uzbekistan; Holly Cartner, Human Rights Watch, and Robert Templer, International Crisis Group, both of Washington, D.C.; and Marcus Bensmann, Neue Zuercher Zeitung, Germany.

Thursday, June 30, 2005

Senate

Chamber Action

Routine Proceedings, pages 15012–15246

Measures Introduced: Twenty-nine bills and three resolutions were introduced, as follows: S. 1339–1367, S. Res. 185, and S. Con. Res. 43–44. **Page 15190**

Measures Reported:

H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, with an amendment in the nature of a substitute. (S. Rept. No. 109–96)

Report to accompany S. 852, to create a fair and efficient system to resolve claims of victims for bodily injury caused by asbestos exposure. (S. Rept. No. 109–97) **Page 15188**

Measures Passed:

Legislative Branch Appropriations: By unanimous consent, Senate passed H.R. 2985, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2006, after agreeing to the committee amendments, and the following amendment proposed thereto: **Page 15106**

Allard (for Lott/Dodd) Amendment No. 1082, to provide funds for the Librarian of Congress to pay telecommunications costs for rapid dissemination of periodicals and daily newspapers available to blind and physically handicapped readers. **Page 15117**

Senate insisted on its amendments, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Allard, DeWine, Cochran, Stevens, Durbin, Johnson, and Byrd. **Page 15117**

CAFTA Implemen tation: By 54 yeas to 45 nays (Vote No. 170), Senate passed S. 1307, to implement the Dominican Republic-Central America-United States Free Trade Agreement. **Pages 15012, 15117**

Temporary Assistance for Needy Families: Senate passed H.R. 3021, to reauthorize the Temporary Assistance for Needy Families block grant program through September 30, 2005, clearing the measure for the President. **Page 15155**

Highway Extension: Senate passed H.R. 3104, to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century, clearing the measure for the President. **Page 15155**

Energy and Water Development Appropriations Act: By 92 yeas to 3 nays (Vote No. 172), Senate passed H.R.

2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006, after agreeing to the committee amendment in the nature of a substitute, which will be considered as original text for the purpose of further amendment, after taking action on the following amendments proposed thereto: **Pages 15134, 15155**

Adopted:

Domenici for (Hatch) Amendment No. 1088, to maintain funding for the Department of Energy Clean Cities Program at its current level. **Page 15154**

Domenici for (Levin) Amendment No. 1089, to provide funds for sea lamprey barrier construction in the Great Lakes. **Page 15154**

Domenici for (Collins) Amendment No. 1090, to provide funds for Saco River project. **Page 15154**

Domenici for (Snowe/Collins) Amendment No. 1091, to provide dredging funds for the Narraguagus River. **Page 15154**

Domenici for (Snowe/Collins) Amendment No. 1092, to provide funding for a reconnaissance study. **Page 15154**

Domenici for (Akaka/Inouye) Amendment No. 1093, to set aside funds to initiate preconstruction engineering and design activities for modifications to Laupahoehoe, Hawaii. **Page 15154**

Domenici for (Frist) Amendment No. 1094, to provide funding for Advanced Scientific Computing Research. **Page 15154**

Domenici Amendment No. 1095, to make technical corrections for NNSA security. **Page 15154**

Subsequently, the amendment was modified. **Page 15161**

Domenici Amendment No. 1096, to limit the use of funds for fully-funded contracts. **Page 15154**

Domenici (for Allard/Salazar) Amendment No. 1097, to set aside certain amounts for the purchase of mineral rights at the Rocky Flats Environmental Technology Site. **Page 15158**

Allard/Salazar Modified Amendment No. 1084, to set aside certain amounts to provide regular and early retirement benefits to workers at the Rocky Flats Environmental Technology Site. **Page 15158**

Domenici (for Graham) Amendment No. 1098, to make the Savannah River National Laboratory eligible for laboratory directed research and development funding. **Page 15159**

Rejected:

By 43 yeas to 53 nays (Vote No. 171), Feinstein Amendment No. 1085, to prohibit the use of funds for the Robust Nuclear Earth Penetrator and utilize the amount otherwise available to reduce the National debt. **Pages 15149, 15155, 15160, 15162**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Domenici, Cochran, McConnell, Bennett, Burns, Craig, Bond, Hutchison, Allard, Reid, Byrd, Murray, Dorgan, Feinstein, Johnson, Landrieu, and Inouye. **Page 15167**

Adjournment Resolution: Senate agreed to H. Con. Res. 198, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate. **Page 15245**

Nominations Confirmed: Senate confirmed the following nominations:

Marie L. Yovanovitch, of Connecticut, to be Ambassador to the Kyrgyz Republic. (Prior to this action, the Committee on Foreign Relations was discharged from further consideration.)

John Ross Beyrle, of Michigan, to be Ambassador to the Republic of Bulgaria. (Prior to this action, the Committee on Foreign Relations was discharged from further consideration.)

Ronald Spogli, of California, to be Ambassador to the Italian Republic. (Prior to this action, the Committee on Foreign Relations was discharged from further consideration.)

Robert H. Tuttle, of California, to be Ambassador to the United Kingdom of Great Britain and Northern Ireland. (Prior to this action, the Committee on Foreign Relations was discharged from further consideration.)

Reuben Jeffery III, of the District of Columbia, to be a Commissioner of the Commodity Futures Trading Commission. (Prior to this action, the Committee on Agriculture, Nutrition, and Forestry was discharged from further consideration.)

Reuben Jeffery III, of the District of Columbia, to be Chairman of the Commodity Futures Trading Commission. (Prior to this action, the Committee on Agriculture, Nutrition, and Forestry was discharged from further consideration.)

Walter Lukken, of Indiana, to be a Commissioner of the Commodity Futures Trading Commission. (Prior to this action, the Committee on Agriculture, Nutrition, and Forestry was discharged from further consideration.)

Ashok G. Kaveeshwar, of Maryland, to be Administrator of the Research and Innovative Technology Administration, Department of Transportation.

Tom Luce, of Texas, to be Assistant Secretary for Planning, Evaluation, and Policy Development, Department of Education.

Daniel R. Stanley, of Kansas, to be an Assistant Secretary of Defense.

2 Air Force nominations in the rank of general.

4 Army nominations in the rank of general.

1 Coast Guard nomination in the rank of admiral.

1 Navy nomination in the rank of admiral.

Routine lists in the Air Force, Army, Marine Corps, National Oceanic and Atmospheric Administration, Navy. **Pages 15244, 15245**

Nominations Received: Senate received the following nominations:

Christopher Cox, of California, to be a Member of the Securities and Exchange Commission for the term expiring June 5, 2009.

Mark Langdale, of Texas, to be Ambassador to the Republic of Costa Rica.

Jendayi Elizabeth Frazer, of Virginia, to be an Assistant Secretary of State (African Affairs).

John S. Redd, of Georgia, to be Director of the National Counterterrorism Center, Office of the Director of National Intelligence.

Michael J. Garcia, of New York, to be United States Attorney for the Southern District of New York for the term of four years.

1 Army nomination in the rank of general. **Page 15245**

Nominations Withdrawn: On Wednesday, June 29, 2005, Senate received notification of withdrawal of the following nomination: Ronald E. Meisburg, of Virginia, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2008, which was sent to the Senate on January 24, 2005. **Page 15246**

Messages From the House: **Page 15186**

Measures Placed on Calendar: **Page 15187**

Enrolled Bills Presented: **Page 15187**

Executive Communications: **Page 15187**

Executive Reports of Committees: **Page 15188**

Additional Cosponsors: **Page 15191**

Statements on Introduced Bills/Resolutions: **Page 15193**

Additional Statements: **Page 15180**

Amendments Submitted: **Page 15240**

Notices of Hearings/Meetings: **Page 15242**

Authority for Committees To Meet: **Page 15243**

Privilege of the Floor: **Page 15243**

Record Votes: Three record votes were taken today. (Total—172) **Pages 15122, 15163, 15166**

Adjournment: Senate met at 9 a.m., and adjourned at 1:04 a.m., on Friday, July 1, 2005 and will reconvene at 10 a.m. on the same day. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 15245.)

Committee Meetings

BUSINESS MEETING

Committee on Appropriations: Committee ordered favorably reported H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, with an amendment in the nature of a substitute.

MILITARY READINESS

Committee on Armed Services: Committee concluded a hearing to examine the status of the U.S. Army and U.S. Marine Corps in fighting the global war on terrorism, after receiving testimony from David S.C. Chu, Under Secretary for Personnel and Readiness, and Charles S. Abell, Principal Deputy Under Secretary for Personnel and Readiness, both of the Department of Defense; General Richard B. Myers, USAF, Chairman, Joint Chiefs of Staff; General Peter J. Schoomaker, USA, Chief of Staff, United States Army; and General Michael W. Hagee, USMC, Commandant, United States Marine Corps.

NOMINATIONS

Committee on Armed Services: Committee ordered favorably reported the nominations of Daniel R. Stanley, of Kansas, to be Assistant Secretary of Defense for Legislative Affairs, James A. Rispoli, of Virginia, to be Assistant Secretary of Energy for Environmental Management, General Teed M. Moseley, USAF, to be Chief of Staff of the Air Force, and 130 nominations in the Army, Navy, and Air Force.

HEALTH INFORMATION TECHNOLOGY

Committee on Commerce, Science, and Transportation: Subcommittee on Technology, Innovation, and Competitiveness concluded a hearing to examine how information technology can reduce medical errors, lower healthcare costs, and improve the quality of patient care, including the importance of developing interoperable electronic medical records and highlight new technologies that will impact how health services are provided in the future, after receiving testimony from Senators Enzi and Stabenow; David Brailer, National Coordinator of Health Information Technology, and Carolyn Clancy, Director, Agency for the Healthcare Research and Quality, both of the Department of Health and Human Services; Hratch G. Semerjian, Acting Director, National Institute of Standards and Technology, Technology Administration, Department of Commerce; Robert M. Kolodner, Acting Veterans Health Administration Chief Health Informatics Officer, Department of Veterans Affairs; Susan L. Bostrom, Cisco Systems, Inc., San Jose, California; John Glaser, Partners Healthcare, Boston, Massachusetts; Peter Basch, MedStar Health, and Karen Ignagni, America's Health Insurance Plans, both of Washington, D.C.; and Pamela Pure, McKesson Corporation, Alpharetta, Georgia.

SAVINGS AND INVESTMENT

Committee on Finance: Subcommittee on Taxation and IRS Oversight held a hearing to examine savings and investment issues, focusing on present law on certain expiring provisions in the United States tax code, receiving testimony from G. Scott Harding, F.B. Harding, Inc. Electrical Contractors, Rockville, Maryland, on behalf of the National Federation of Independent Business; Robert A. Weinberger, H&R Block, Eric J. Toder, The Urban Institute Tax Policy Center, and Stephen J. Entin, Institute for Research on the Economics of Taxation, all of Washington, D.C.; David R. Malpass, Bear Stearns, New York, New York; and Brian Graff, American Society of Pension Professionals and Actuaries, Arlington, Virginia.

Hearing recessed subject to the call.

MIDDLE EAST ROAD MAP

Committee on Foreign Relations: Committee concluded a hearing to examine the current state of the Middle East road map, focusing on the challenge of organizing talks and resolving issues between Israel and Palestine, after receiving testimony from C. David Welch, Assistant Secretary for Near Eastern Affairs, and James D. Wolfensohn, Quartet Special Envoy for Gaza Disengagement, both of the Department of State; and Lieutenant General William E. Ward, Deputy Commander, United States Army Europe, U.S. Coordinator for Security, Department of Defense.

AMERICAN HISTORY ACHIEVEMENT ACT

Committee on Health, Education, Labor, and Pensions: Subcommittee on Education and Early Childhood Development concluded a hearing to examine issues relating to American history, focusing on S. 860, to amend the National Assessment of Educational Progress Authorization Act to require State academic assessments of student achievement in United States history and civics, after receiving testimony from Stephanie L. Norby, Director, Smithsonian Institution Center for Education and Museum Studies; Charles E. Smith, National Assessment Governing Board, Washington, D.C.; James Parisi, Rhode Island Federation of Teachers and Health Professionals, Providence; and David McCullough, West Tisbury, Massachusetts.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the nominations of James B. Letten, to be United States Attorney for the Eastern District of Louisiana, and Rod J. Rosenstein, to be United States Attorney for the District of Maryland, both of the Department of Justice.

IMMIGRATION REFORM

Committee on the Judiciary: Subcommittee on Immigration, Border Security and Citizenship concluded a hearing to examine securing the cooperation of participating countries relating to the need for comprehensive immigration reform, after receiving testimony from Andres Rozental, Rozental and Associados, former Mexican Ambassador at Large, and Roberta Clariond, Instituto Tecnologico Autonomo de Mexico, both of Mexico City, Mexico.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

MEDICARE

Special Committee on Aging: Committee concluded a hearing to examine possible strategies for slowing the growth of Medicare spending, including increasing the share of spending paid by beneficiaries and enhancing competition in the provision of services, after receiving testimony from Douglas Holtz-Eakin, Director, Congressional Budget Office; William J. Evans, University of Arkansas for Medical Sciences, Little Rock; Bill Herman, Highsmith Inc., Fort Atkinson, Wisconsin; Stephen J. Brown, Health Hero Network, Inc., Mountain View, California; and Steven H. Woolf, Virginia Commonwealth University, Fairfax.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 72 public bills, H. R. 3127–3198; and 13 resolutions, H.J. Res. 57; H. Con. Res. 196–203; and H. Res. 347–350, were introduced. **Page 15005**

Additional Cosponsors: **Page 15010**

Reports Filed: Reports were filed today as follows:

H.R. 940, to amend the Longshore and Harbor Workers' Compensation Act to clarify the exemption for recreational vessel support employees, amended (H. Rept. 109–161). **Page 15005**

Departments of Transportation, Treasury, and Housing and Urban Development, The Judiciary, District of Columbia, and Independent Agencies Appropriations Act for FY 2006: The House passed H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, by a yea-and-nay vote of 405 yeas to 18 nays, Roll No. 358. **Page 14884**

Agreed to:

Hinchey amendment that changes wording in section 924, regarding publicity and propaganda authorized by Congress; **Page 14887**

Markey amendment that prohibits the use of funds in contravention of the Privacy Act or of title 48 of the Code of Federal Regulations; **Page 14911**

Sanders amendment that prohibits the use of funds to provide for the competitive sourcing of flight service stations (by a recorded vote of 238 ayes to 177 noes, Roll No. 347); **Pages 14889, 14913**

Souder amendment that prohibits the use of funds to enforce section 702 of the Firearms Control Regulations Act of 1975 (by a recorded vote of 259 ayes to 161 noes and 1 voting "present", Roll No. 349); **Pages 14904, 14915**

Garrett of New Jersey amendment that prohibits the use of funds to enforce the judgment of the U.S. Supreme Court in the case of Kelo v. New London, decided on June 23, 2005 (by a recorded vote of 231 ayes to 189 noes, Roll No. 350); **Pages 14907, 14915**

Knollenberg amendment that increases funding for the Working Capital Fund in the Department of Housing and Urban Development; **Page 14929**

Kilpatrick amendment that prohibits the use of funds for the Treasury Department to recommend approval of the sale of Unocal Corporation to CNOOC Ltd. of China (by a recorded vote of 333 ayes to 92 noes, Roll No. 353); **Pages 14918, 14941**

Velázquez amendment that prohibits the use of funds by the GSA to carry out the eTravel Service program (by a recorded vote of 233 ayes to 192 noes, Roll No. 356); and **Pages 14931, 14943**

Van Hollen amendment that prohibits the use of funds to implement the revision to OMB Circular A–76, made on May 29, 2003 (by a recorded vote of 222 ayes to 203 noes, Roll No. 357). **Pages 14933, 14944**

Rejected:

Davis of Florida amendment (no. 4 printed in the Congressional Record of June 28) that sought to prohibit the use of funds to implement, administer, or enforce the amendments made to title 31, Code of Federal Regulations, relating to travel in Cuba and visiting relatives in Cuba (by a recorded vote of 208 ayes to 211 noes, Roll No. 345); **Pages 14893, 14912**

Lee amendment that sought to prohibit the use of funds to implement, administer, or enforce the amendments to title 31, Code of Federal Regulations, relating to specific licenses for U.S. academic institutions (by a recorded vote of 187 ayes to 233 noes, Roll No. 346); **Pages 14898, 14913**

Rangel amendment that sought to prohibit the use of funds to implement, administer, or enforce the economic embargo of Cuba (by a recorded vote of 169 ayes to 250 noes, Roll No. 348); **Pages 14902, 14914**

DeLauro amendment that sought to prohibit the use of funds to enter into any contract with an entity incorporated or chartered in Bermuda, Barbados, the Cayman Islands, Antigua, or Panama (by a recorded vote of 190 ayes to 231 noes, Roll No. 351); **Pages 14909, 14916**

Jackson-Lee amendment that sought to prohibit the use of funds to implement section 12(c) of the United States Housing Act of 1937, regarding public housing community service requirements; **Page 14935**

Hefley amendment (no. 7 printed in the Congressional Record of June 28) that sought to reduce total appropriations in the bill by 1% (by a recorded vote of 88 ayes to 338 noes, Roll No. 352); **Pages 14917, 14940**

Obey amendment that sought to prohibit the use of funds in contravention of the OMB Circular No. A–11, regarding Congressional testimony and communications (by a recorded vote of 208 ayes to 215 noes, Roll No. 354); and **Pages 14919, 14942**

Brown of Ohio amendment that sought to prohibit the use of funds by the Council of Economic Advisers to produce an Economic Report of the President regarding the average cost of developing and introducing a new prescription drug at $800 million or more (by a recorded vote of 141 ayes to 284 noes, Roll No. 355). **Pages 14926, 14942**

Withdrawn:

Simmons amendment (no. 14 printed in the Congressional Record of June 28) that was offered and subsequently withdrawn that sought to prohibit the use of funds to enter into, implement or provide oversight of contracts between the Secretary of the Treasury and private collection agencies; and reduces funding for Business Systems Modernization for the IRS; **Page 14890**

Flake amendment that was offered and subsequently withdrawn that sought to prohibit the use of funds to amend the Code of Federal Regulations relating to religious activities in Cuba, as in effect June 29, 2005; **Page 14896**

Tiahrt amendment that was offered and subsequently withdrawn that sought to prohibit the use of funds to promulgate regulations without consideration of the effect of such regulations on the competitiveness of American businesses; **Page 14925**

Clay amendment that was offered and subsequently withdrawn that sought to prohibit the use of funds to provide mortgage insurance under the National Housing Act for a mortgage or loan made by a lender that has engaged in lending practices that are not prudent; **Page 14930**

Pickering amendment was offered and subsequently withdrawn that sought to prohibit the use of funds to enforce the Individuals With Disabilities Parking Reform Amendment Act of 2000; and **Page 14936**

Jackson-Lee amendment that was offered and subsequently withdrawn that sought to increase funding for FAA Operations. **Page 14938**

Point of Order sustained against:

Section 928 regarding contracting with private companies to provide online equipment applications and processing services; **Page 14888**

Section 945 regarding amendments to the Fair Credit Reporting Act; **Page 14889**

Flake amendment that sought to prohibit the use of funds to implement, administer, or enforce the amendments made to the Code of Federal Regulations, as published in the Federal Register on June 16, 2004, with respect to any Member of the U.S. Armed Forces; **Page 14891**

Obey amendment that sought to add a new section relating to salaries of Members of Congress paid out of funds provided for the District of Columbia; and **Page 14907**

Wynn amendment that sought to prohibit the use of funds to pay a Federal contractor if the contractor is not in compliance with certain provisions of the Small Business Act. **Page 14932**

H. Res. 342, the rule providing for consideration of the bill was agreed to on Tuesday, June 28.

Surface Transportation Extension Act: The House passed, by unanimous consent, H.R. 3104, to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century. **Page 14961**

Extending the term of the Executive Director, Deputy Executive Directors, and General Council of the Office of Compliance: The House passed, by unanimous consent, H.R. 3071, to permit the individuals currently serving as Executive Director, Deputy Executive Directors, and General Counsel of the Office of Compliance to serve one additional term. **Page 14965**

Consideration of Suspensions: The House agreed to H. Res. 345, providing for consideration of motions to suspend the rules, by voice vote, after agreeing to order the previous question by a yea-and-nay vote of 216 yeas to 191 nays, Roll No. 359. **Page 14965**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Sense of the House that a Chinese state owned energy company exercising control of U.S. energy infrastructure and production capacity could threaten U.S. national security: H. Res. 344, expressing the sense of the House of Representatives that a Chinese state-owned energy company exercising control of critical United States energy infrastructure and energy production capacity could take action that would threaten to impair the national security of the United States, by a ⅔ yea-and-nay vote of 398 yeas to 15 nays, Roll No. 360; **Pages 14975, 14998**

Expressing the disapproval of the House regarding the Supreme Court decision in the case of Kelo et al. v. City of New London et al.: H. Res. 340, expressing the grave disapproval of the House of Representatives regarding the majority opinion of the Supreme Court in the case of Kelo et al. v. City of New London et al. that nullifies the protections afforded private property owners in the Takings Clause of the Fifth Amendment, by a ⅔ yea-and-nay vote of 365 yeas and 33 nays and 18 voting "present", Roll No. 361; and **Pages 14982, 14998**

Supplemental Appropriations for Veterans Medical Services: H.R. 3130, making supplemental appropriations for fiscal year 2005 for veterans medical services, by a ⅔ yea-and-nay vote of 419 yeas with none voting "nay", Roll No. 362. **Pages 14991, 14999**

Fourth of July District Work Period: The House agreed to H. Con. Res. 198, providing for a conditional adjournment of the House and a conditional recess or adjournment of the Senate. **Page 14997**

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at 6 p.m. on the third Constitutional day thereafter unless it sooner has received a message from the Senate transmitting its concurrence in H. Con. Res. 198, in which case the House shall stand adjourned pursuant to that resolution. **Page 14997**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, July 13. **Page 14998**

Late Report: Agreed that the Committee on International Relations have until midnight on July 8 to file a report on H.R. 2601. **Page 14998**

Congratulating the San Antonio Spurs: The House agreed to H. Res. 339, congratulating the San Antonio Spurs for winning the 2005 National Basketball Association Championship. **Page 15000**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Wolf, or if he is not available to perform this duty, Representative Tom Davis of Virginia, to act as Speaker pro tempore to sign enrolled bills and joint resolutions through July 11. **Page 15003**

Report Vacated: Agreed that the filing of the report by the Committee on Science to accompany H.R. 1158, and the referral thereof to the Committee of the Whole House on the State of the Union, are vacated. **Page 15003**

Quorum Calls—Votes: Five yea-and-nay votes and 13 recorded votes developed during the proceedings of today and appear on pages 14912–17, 14940–44, 14960, 14974, and 14998–15000. There were no quorum calls.

Adjournment: The House met at 10 a.m. and at 12:07 a.m. on Friday, July 1, pursuant to the provisions of H. Con. Res. 198, stands adjourned until 6 p.m. on Tuesday, July 5, unless it sooner has received a message from the Senate transmitting its concurrence in that resolution, in which case the House shall stand adjourned until 2 p.m. on Monday, July 11.

Committee Meetings

PENSION PROTECTION ACT OF 2005

Committee on Education and the Workforce: Ordered favorably reported, as amended, H.R. 2830, Pension Protection Act of 2005.

ZERO DOWNPAYMENT PILOT PROGRAM ACT OF 2005

Committee on Financial Services: Subcommittee on Housing and Community Opportunity held a hearing on H.R. 3043, Zero Downpayment Pilot Program Act of 2005. Testimony was heard from William B. Shear, Director, Financial Markets and Community Investment, GAO; and public witnesses.

NEXT FLU PANDEMIC—U.S. READINESS

Committee on Government Reform: Held a hearing entitled "The Next Flu Pandemic: Evaluating U.S. Readiness." Testimony was heard from the following officials of the Department of Health and Human Services: James W, Leduc, Director, Division of Viral and Rickdettsial Diseases, National Center for Infectious Diseases, Centers for Disease Control and Prevention; Anthony S. Fauci, M.D., Director, National Institute of Allergy and Infectious Diseases, NIH; and Bruce Gellin, M.D., Director, National Vaccine Planning Office; Marcia Crosse, Director, Health Care Issues, GAO and public witnesses.

MISCELLANEOUS MEASURES

Committee on International Relations: Ordered favorably reported H.R. 3100, East Asia Security Act of 2005.

The Committee approved a motion authorizing the Chairman to request that the following measures be considered on the Suspension Calendar: H.R. 2017, Torture Victims Relief Reauthorization Act of 2005; H. Con. Res. 168, amended, Condemning the Democratic People's republic of Korea for the abductions and continued captivity of citizens of the Republic of Korea and Japan as acts of terrorism and gross violations of human rights; H. Con. Res. 175, Acknowledging African descendants of the transatlantic slave trade in all of the Americas with an emphasis on descendants in Latin America and the Caribbean, recognizing the injustices suffered by these African descendants, and recommending that the United States and the international community work to improve the situation of Afro-descendant communities in Latin America and the Caribbean; H. Con. Res. 191, amended, Commemorating the 60th Anniversary of the conclusion of the war in the Pacific and honoring veterans of both the Pacific and Atlantic theaters of the Second World War; H. Res. 328, amended, Recognizing the 25th anniversary of the workers' strikes in Poland in 1980 that let to the establishment of the Solidarity Trade Union; H. Res. 333, Supporting the goals and ideals of a National Weekend of Prayer and Reflection for Darfur, Sudan; and H. Res. 343, Commending the State of Kuwait for granting women certain important political rights.

G–8 SUMMIT AND AFRICA'S DEVELOPMENT

Committee on International Relations: Subcommittee on Africa, Global Human Rights and International Operations held a hearing on The G–8 Summit and Africa's Development. Testimony was heard from Paul Reid, Senior Advisor to the Under Secretary for Economic, Business and Agricultural Affairs, Department of State; Robert Pittman, Deputy Assistant Secretary, International Development, Finance, and Debt, Department of the Treasury; and public witnesses.

NONPROLIFERATION AND THE G–8 SUMMIT

Committee on International Relations: Subcommittee on International Terrorism and Nonproliferation held a hearing on Nonproliferation and the G–8. Testimony was heard from public witnesses.

SECURE ACCESS TO JUSTICE AND COURT PROTECTION ACT; TERRORIST DEATH PENALTY ENHANCEMENT ACT; STREAMLINED PROCEDURES ACT

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security approved for full Committee action, as amended, H.R. 1751, Secure Access to Justice and Court Protection Act of 2005.

The Subcommittee also held a hearing on the following bills: H.R. 3060, Terrorist Death Penalty Enhancement Act of 2005; and H.R. 3035, Streamlined Procedures Act. Testimony was heard from Barry M. Sabin, Chief of Counterterrorism Section for the Criminal Division, Department of Justice; and public witnesses.

OVERSIGHT—IMMIGRATION REMOVAL PROCEDURES

Committee on the Judiciary: Subcommittee on Immigration, Border Security, and Claims held an oversight hearing entitled "Immigration Removal Procedures Implemented in the Aftermath of the September 11th Attacks." Testimony was heard from Lily Swenson, Deputy Associate Attorney General, Department of Justice; Joseph Greene, Director, Training and Development, U.S. Immigration and Customs Enforcement, Department of Homeland Security; and public witnesses.

OVERSIGHT—POTENTIAL OIL SOURCES

Committee on Resources: Subcommittee on Energy and Mineral Resources concluded oversight hearings entitled "The Vast North American Resource Potential of Oil Shale, Oil Sands, and Heavy Oils—Part 2." Testimony was heard from Theodore K. Barna, Assistant Deputy Under Secretary, Advance Systems and Concepts, Office of the Secretary, Department of Defense; Mark Maddox, Principal Deputy Assistant Secretary, Office of Fossil Energy, Department of Energy; and Chad Calvert, Deputy Assistant Secretary, Land and Minerals Management, Department of the Interior.

OVERSIGHT—HEALTH CARE BUDGET

Committee on Veterans' Affairs: Held an oversight hearing on the Department of Veterans Affairs' necessity to reprogram $1 billion to the medical services account in Fiscal Years 2005 and its implication for Fiscal Year 2006. Testimony was heard from R. James Nicholson, Secretary of Veterans Affairs.

CAFTA IMPLEMENTATION ACT

Committee on Ways and Means: Ordered favorably reported H.R. 3045, Dominican Republic-Central America-United States Free Trade Agreement Implementation Act.

BRIEFING—GLOBAL UPDATES

Permanent Select Committee on Intelligence: Met in executive session to receive a Briefing on Global Updates. Testimony was heard from departmental witnesses.

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Friday, July 1, 2005

Senate

Chamber Action

Routine Proceedings, pages 15265–15336

Measures Introduced: Five bills and six resolutions were introduced, as follows: S. 1368–1372, and S. Res. 186–191. **Page 15300**

Measures Reported:

S. 864, to amend the Atomic Energy Act of 1954 to modify provisions relating to nuclear safety and security, with an amendment in the nature of a substitute. (S. Rept. No. 109–98)

S. 865, to amend the Atomic Energy Act of 1954 to reauthorize the Price-Anderson provisions, with an amendment in the nature of a substitute. (S. Rept. No. 109–99)

S. 858, to reauthorize Nuclear Regulatory Commission user fees, with an amendment in the nature of a substitute. (S. Rept. No. 109–100) **Page 15300**

Measures Passed:

National Weekend of Prayer: Senate agreed to S. Res. 186, affirming the importance of a national weekend of prayer for the victims of genocide and crimes against humanity in Darfur, Sudan, and expressing the sense of the Senate that July 15 through July 17, 2005, should be designated as a national weekend of prayer and reflection for the people of Darfur. **Page 15316**

Senate Chamber Photograph: Senate agreed to S. Res. 187, authorizing the taking of video images in the Chamber of the United States Senate. **Page 15316**

Senate Legal Representation: Senate agreed to S. Res. 188, to authorize representation by the Senate Legal Counsel in the case of LaFreniere v. Congress of the United States. **Page 15317**

Congratulating Michael Campbell: Senate agreed to S. Res. 189, congratulating Michael Campbell for his victory in the U.S. Open golf tournament and celebrating the relationship between the United States and New Zealand. **Page 15317**

Mesa Verde National Park Anniversary: Senate agreed to S. Res. 190, recognizing the 100th anniversary of Mesa Verde National Park. **Page 15317**

Parole Commission Extension: Senate passed S. 1368, to extend the existence of the Parole Commission. **Page 15317**

Alice R. Brunsich Post Office Building: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of S. 1275, to designate the facility of the United States Postal Service located at 7172 North Tongass Highway, Ward Cove, Alaska, as the "Alice R. Brunsich Post Office Building", and the bill was then passed. **Page 15318**

Dorothy and Connie Hibbs Post Office Building: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of S. 1323, to designate the facility of the United States Postal Service located on Lindbald Avenue, Girdwood, Alaska, as the "Dorothy and Connie Hibbs Post Office Building", and the bill was then passed. **Page 15318**

Marine Debris Research Prevention and Reduction Act: Senate passed S. 362, to establish a program within the National Oceanic and Atmospheric Administration and the United States Coast Guard to help identify, determine sources of, assess, reduce, and prevent marine debris and its adverse impacts on the marine environment and navigation safety, in coordination with non-Federal entities, after agreeing to the committee amendment, and the following amendment proposed thereto:

McConnell (for Stevens/Inouye) Amendment No. 1099, to make minor and technical changes in the bill as reported. **Page 15318**

National Ocean Exploration Program Act: Senate passed S. 39, to establish a coordinated national ocean exploration program within the National Oceanic and Atmospheric Administration, after agreeing to the following amendment proposed thereto:

McConnell (for Stevens/Inouye) Amendment No. 1100, in the nature of a substitute. **Page 15321**

Tsunami Preparedness Act: Senate passed S. 50, to authorize and strengthen the National Oceanic and Atmospheric Administration's tsunami detection, forecast, warning, and mitigation program, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto:

McConnell (for Stevens/Inouye) Amendment No. 1101, in the nature of a substitute. **Page 15321**

Ocean and Coastal Observation System Act: Senate passed S. 361, to develop and maintain an integrated system of ocean and coastal observations for the Nation's coasts, oceans and Great Lakes, improve warnings of tsunamis and other natural hazards, after agreeing to the following amendments proposed thereto:

McConnell (for Stevens/Inouye) Amendment No. 1102, in the nature of a substitute. **Page 15328**

McConnell (for Stevens/Inouye) Amendment No. 1103, to amend the title. **Page 15328**

Training for Realtime Writers Act: Senate passed S. 268, to provide competitive grants for training court reporters and closed captioners to meet requirements for realtime writers under the Telecommunications Act of 1996, after agreeing to the committee amendments. **Page 15332**

Minority Serving Institution Digital and Wireless Technology Opportunity Act: Senate passed S. 432, to establish a digital and wireless network technology program. **Page 15333**

Honoring Justice Sandra Day O'Connor: Senate agreed to S. Res. 191, honoring Associate Justice of the Supreme Court of the United States, Sandra Day O'Connor. **Page 15335**

Department of Homeland Security Appropriations—Agreement: A unanimous-consent agreement was reached providing that on Monday, July 11, 2005, Senate begin consideration of H.R. 2360, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006; that the committee amendment in the nature of a substitute be agreed to and considered as original text for the purpose of further amendment; that all first-degree amendments be filed by 4 p.m. on Monday, July 11, 2005, with the exception of amendments proposed by the Leaders; further, that first-degree amendments be subject to relevant second-degree amendments; and that no points of order be waived by this agreement. **Pages 15316, 15336**

Energy Policy Act—Conferees: A unanimous-consent agreement was reached providing that the Senate insists on its amendment to H.R. 6, to ensure jobs for our future with secure, affordable, and reliable energy, requests a conference with the House thereon, and the Chair be authorized to appoint the following conferees on the part of the Senate: from the Committee on Energy and Natural Resources: Senators Domenici, Craig, Thomas, Alexander, Murkowski, Burr, Bingaman, Akaka, Dorgan, Wyden, and Johnson; and from the Committee on Finance: Senators Grassley, Hatch, and Baucus. **Page 15316**

Make College Affordable Act—Referral: A unanimous-consent agreement was reached providing that the Committee on the Judiciary be discharged from further consideration of S. 759, to amend the Internal Revenue Code of 1986 to make higher education more affordable, and the bill then be referred to the Committee on Finance. **Page 15332**

China Currency—Agreement: A unanimous-consent agreement was reached to amend the order of April 7, 2005, with respect to S. 295, to authorize appropriate action in the negotiations with the People's Republic of China regarding China's undervalued currency are not successful, providing that the Majority Leader, after consultation with the Democratic Leader, shall, no later than the end of the first session of the 109th Congress, call up the bill; and that all other provisions of the order remain constant. **Page 15335**

Appointment of Senator Kyl—Agreement: A unanimous-consent agreement was reached providing that the February 17, 2005 appointment of Senator Kyl as majority Co-chair of the Senate National Security Working Group of the 109th Congress, be vitiated with respect to his being Co-chair, but that he remain on the commission as a member. **Page 15335**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that during this adjournment of the Senate, the Majority Leader, the Majority Whip, and Senator Warner, be authorized to sign duly enrolled bills or joint resolutions. **Page 15335**

Authorizing Leadership To Make Appointments—Agreement: A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate, the President of the Senate, the President pro tempore, and the Majority and Minority Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate. **Page 15335**

Nominations Confirmed: Senate confirmed the following nominations:

James B. Letten, of Louisiana, to be United States Attorney for the Eastern District of Louisiana for the term of four years.

Rod J. Rosenstein, of Maryland, to be United States Attorney for the District of Maryland for the term of four years.

Richard A. Raymond, of Nebraska, to be Under Secretary of Agriculture for Food Safety. (Prior to this action, the Committee on Agriculture, Nutrition and Forestry was discharged from further consideration). **Pages 15316, 15336**

Measures Referred: **Page 15299**

Measures Placed on Calendar: **Page 15299**

Measures Read First Time: **Page 15300**

Additional Cosponsors: Page 15300

Statements on Introduced Bills/Resolutions: Page 15301

Additional Statements: Page 15298

Amendments Submitted: Page 15306

Notices of Hearings/Meetings: Page 15315

Adjournment: Senate convened at 10 a.m. and, pursuant to the provisions of H. Con. Res. 198, adjourned at 2:39 p.m., until 1 p.m., on Monday, July 11, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 15336.)

Committee Meetings

No committee meetings were held.

House of Representative

Chamber Action

The House was not in session today. Pursuant to H. Con. Res. 198, the House stands adjourned until 2 p.m. on Monday, July 11.

Committee Meetings

FEDERAL PRISON INDUSTRIES COMPETITION IN CONTRACTING ACT OF 2005

Committee on the Judiciary: Subcommittee on Crime held a hearing on H.R. 2965, Federal Prison Industries Competition in Contracting Act of 2005. Testimony was heard from Representative Hoekstra; Reginald A. Wilkinson, Director, Department of Rehabilitation and Correction, State of Ohio; and pubic witnesses.

Résumé of Congressional Activity

FIRST SESSION OF THE ONE HUNDRED NINTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 4 through June 30, 2005

	Senate	*House*	*Total*
Days in session	85	73	..
Time in session	635 hrs., 23′	538 hrs., 44′	..
Congressional Record:			
Pages of proceedings	..	..	..
Extensions of Remarks	..	..	..
Public bills enacted into law	6	12	18
Private bills enacted into law	..	..	..
Bills in conference	4	2	..
Measures passed, total	212	315	527
Senate bills	26	8	..
House bills	30	116	..
Senate joint resolutions	1	..	..
House joint resolutions	2	5	..
Senate concurrent resolutions	12	6	..
House concurrent resolutions	21	47	..
Simple resolutions	120	133	..
Measures reported, total	*127	*155	282
Senate bills	98	2	..
House bills	9	91	..
Senate joint resolutions	..	..	..
House joint resolutions	..	2	..
Senate concurrent resolutions	1	..	..
House concurrent resolutions	..	3	..
Simple resolutions	19	57	..
Special reports	9	4	..
Conference reports	..	2	..
Measures pending on calendar	128	48	..
Measures introduced, total	1,607	3,723	5,330
Bills	1,359	3,126	..
Joint resolutions	20	56	..
Concurrent resolutions	44	195	..
Simple resolutions	184	346	..
Quorum calls	3	1	..
Yea-and-nay votes	172	153	..
Recorded votes	..	208	..
Bills vetoed	..	..	..
Vetoes overridden	..	..	..

*These figures include all measures reported, even if there was no accompanying report. A total of 97 reports have been filed in the Senate, a total of 161 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 4 through June 30, 2005

Civilian Nominations, totaling 296, disposed of as follows:

Confirmed	127
Unconfirmed	165
Withdrawn	4

Other Civilian Nominations, totaling 1,139, disposed of as follows:

Confirmed	1,137
Unconfirmed	2

Air Force Nominations, totaling 8,094, disposed of as follows:

Confirmed	5,747
Unconfirmed	2,347

Army Nominations, totaling 2,817, disposed of as follows:

Confirmed	2,460
Unconfirmed	357

Navy Nominations, totaling 1,655, disposed of as follows:

Confirmed	257
Unconfirmed	1,398

Marine Corps Nominations, totaling 1,299, disposed of as follows:

Confirmed	1,288
Unconfirmed	11

Summary

Total Nominations carried over from the First Session	0
Total Nominations Received this Session	15,300
Total Confirmed	11,016
Total Unconfirmed	4,280
Total Withdrawn	4
Total Returned to the White House	0

Monday, July 11, 2005

Senate

Chamber Action

Routine Proceedings, pages 15399–15550

Measures Introduced: Eight bills and four resolutions were introduced, as follows: S. 1373–1380, and S. Res. 192–195. **Page 15442**

Measures Reported:

S. 1317, to provide for the collection and maintenance of cord blood units for the treatment of patients and research, and to amend the Public Health Service Act to authorize the Bone Marrow and Cord Blood Cell Transplantation Program to increase the number of transplants for recipients suitable matched to donors of bone marrow and cord blood, with an amendment in the nature of a substitute. **Page 15442**

Measures Passed:

London Bombings: By a unanimous vote of 76 yeas (Vote No. 173), Senate agreed to S. Res. 193, expressing sympathy for the people of the United Kingdom in the aftermath of the deadly terrorist attacks on London on July 7, 2005. **Page 15429**

Death of Former Senator Gaylord A. Nelson: Senate agreed to S. Res. 194, relative to the death of Gaylord A. Nelson, former United States Senator for the State of Wisconsin. **Page 15547**

Department of Homeland Security Appropriations: Senate began consideration of H.R. 2360, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006, agreeing to the committee amendment in the nature of a substitute which will be considered as original text for the purpose of further amendment, and taking action on the following amendments proposed thereto: **Pages 15401, 15431**

Adopted:

Gregg Amendment No. 1133, to increase funding for certain programs authorized by the Federal Fire Prevention and Control Act of 1974. **Page 15422**

Isakson Amendment No. 1070, expressing the sense of the Senate relative to border protection and alien and drug smugglers' methods, routes, and modes of transportation. **Page 15431**

Pending:

Reid (for Murray) Amendment No. 1129, to provide emergency supplemental funds for medical services provided by the Veterans Health Administration for the fiscal year ending September 30, 2005. **Pages 15419, 15434**

Collins Amendment No. 1142, to provide for homeland security grant coordination and simplification. **Page 15423**

Feinstein Amendment No. 1215 (to Amendment No. 1142), to improve the allocation of grants through the Department of Homeland Security. **Page 15431**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:45 a.m. on Tuesday, June 12, 2005. **Page 15549**

Legislative Branch Appropriations—Agreement: A unanimous-consent agreement was reached providing that the Senate request that the House of Representatives return the papers with respect to H.R. 2985, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2006. **Page 15549**

Messages From the House: **Page 15440**

Measures Referred: **Page 15440**

Measures Placed on Calendar: **Pages 15440, 15549**

Measures Read First Time: **Pages 15440, 15549**

Executive Communications: **Page 15440**

Additional Cosponsors: **Page 15442**

Statements on Introduced Bills/Resolutions: **Page 15444**

Additional Statements: **Page 15437**

Amendments Submitted: **Page 15454**

Privilege of the Floor: **Page 15547**

Record Votes: One record vote was taken today. (Total—173) **Page 15430**

Adjournment: Senate convened at 1 p.m., and as a further mark of respect to the memory of the late Honorable Gaylord A. Nelson, former United States Senator from the State of Wisconsin, in accordance with S. Res. 194, adjourned at 7:11 p.m., until 9:45 a.m., on Tuesday, July 12, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 15550.)

Committee Meetings

CPB

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Agencies concluded a hearing to examine funding for the Corporation for Public Broadcasting, after receiving testimony from Patricia S. Harrison, President and Chief Executive Officer, and Kenneth Y. Tomlinson, Chairman, Board of Directors, both of the Corporation for Public Broadcasting; Pat Mitchell, President and Chief Executive Officer, Public Broadcasting Service, Alexandria, Virginia; and John M. Lawson, President and Chief Executive Officer, Association of Public Television Stations, and David Boaz, CATO Institute, both of Washington, D.C.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 5 public bills, H.R. 3199–3203; and 6 resolutions, H. Con. Res. 204–205; and H. Res. 352–355, were introduced. **Page 15397**

Additional Cosponsors: **Page 15397**

Reports Filed: Reports were filed today as follows:

H.R. 184, to amend the Controlled Substances Import and Export Act to provide authority to the Attorney General to authorize any controlled substance that is in schedule I or II or is a narcotic drug in schedule III or IV to be exported from the United States to a country for subsequent export from that country to another country, if certain conditions are met, amended (H. Rept. 109–115, Pt. 2);

H.R. 869, to amend the Controlled Substances Act to lift the patient limitation on prescribing drug addiction treatments by medical practitioners in group practices (H. Rept. 109–116, Pt. 2);

Omitted from the Record of June 30, 2005: H.R. 1220, to increase, effective as of December 1, 2005, the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans, amended (H. Rept. 109–162); and

H. Res. 351, providing for the consideration of H.R. 739, to amend the Occupational Safety and Health Act of 1970 to provide for adjudicative flexibility with regard to the filing of a notice of contest by an employer following the issuance of a citation or proposed assessment of a penalty by the Occupational Safety and Health Administration; for consideration of H.R. 740, to amend the Occupational Safety and Health Act of 1970 to provide for greater efficiency at the Occupational Safety and Health Review Commission; for consideration of H.R. 741, to amend the Occupational Safety and Health Act of 1970 to provide for judicial deference to conclusions of law determined by the Occupational Safety and Health Review Commission with respect to an order issued by the Commission; and for consideration of H.R. 742, to amend the Occupational Safety and Health Act of 1970 to provide for the award of attorneys' fees and costs to small employers when such employers prevail in litigation prompted by the issuance of a citation by the Occupational Safety and Health Administration (H. Rept. 109–163). **Page 15396**

Speaker: Read a letter from the Speaker wherein he appointed Representative Pearce to act as speaker pro tempore for today. **Page 15364**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Condemning the Democratic People's Republic of Korea for the abductions and captivity of citizens of Korea and Japan: H. Con. Res. 168, amended, condemning the Democratic People's Republic of Korea for the abductions and continued captivity of citizens of the Republic of Korea and Japan as acts of terrorism and gross violations of human rights, by a ⅔ yea-and-nay vote of 362 yeas to 1 nay and 1 voting "present", Roll No. 363; and **Pages 15365, 15372**

Supporting the goals and ideals of a National Weekend of Prayer and Reflection for Darfur, Sudan: H. Res. 333, supporting the goals and ideals of a National Weekend of Prayer and Reflection for Darfur, Sudan, by a ⅔ yea-and-nay vote of 364 yeas to 2 nays, roll No. 364. **Pages 15367, 15373**

Suspensions—Proceedings Postponed: The House completed debate on the following measure under suspension of the rules. Further consideration will occur tomorrow, July 12.

Commending the State of Kuwait for granting women important political rights: H. Res. 343, commending the State of Kuwait for granting women certain important political rights. **Page 15370**

Recess: The House recessed at 2:32 p.m. and reconvened at 6:32 p.m. **Page 15371**

Providing for a recess of the House for a Joint Meeting to receive His Excellency Manmohan Singh, Prime Minister of the Republic of India: Agreed that it may be in order at any time on Tuesday, July 19, 2005, for the Speaker to declare a recess, subject to the call of the chair, for the purpose of receiving His Excellency Manmohan Singh, Prime Minister of the Republic of India. **Page 15372**

Senate Message: Message received from the Senate today appears on page 15364.

Senate Referrals: S. 39 was referred to the Committee on Science and in addition to the Committee on Resources; S. 50 was referred to the Committee on Science, the Committee on Resources, and in addition to the Committee on Transportation and Infrastructure; S. 268 was held at the desk; S. 361 was referred to the Committee on Resources and in addition to the Committee on Science; S. 362 was referred to the Committee on Transportation and Infrastructure and in addition to the Committee on Resources; S. 432 was held at the desk; S. 1275 was referred to the Committee on Government Reform; S. 1323 was referred to the Committee on Government Reform; and S. 1368 was held at the desk. **Page 15393**

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages 15372 and 15373. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 10:25 p.m.

Committee Meetings

OSHA SMALL BUSINESS DAY IN COURT ACT OF 2005; OSHA REVIEW COMMISSION EFFICIENCY ACT OF 2005; OSHA INDEPENDENT REVIEW OF OSHA CITATIONS ACT OF 2005; AND OSHA SMALL EMPLOYER ACCESS TO JUSTICE ACT OF 2005

Committee on Rules: Granted, by voice vote, a closed rule providing for separate consideration of H.R. 739, H.R. 740, H.R. 741, and H.R. 742. The rule provides one hour of debate in the House for H.R. 739, H.R. 740, H.R. 741, and H.R. 742. The rule provides that each hour of debate shall be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce. The rule waives all points of order against consideration of H.R. 739, H.R. 740, H.R. 741, and H.R. 742. The rule provides that the amendments in the nature of substitutes recommended by the Committee on Education and the Workforce for H.R. 740 and H.R. 741 now printed in the bills, shall be considered as adopted. The rule provides one motion to recommit, with or without instructions, for H.R. 739, H.R. 740, H.R. 741, and H.R. 742. Section 5 of the resolution provides that in the engrossment of H.R. 739 the Clerk shall add the texts of H.R. 740, H.R. 741, and H.R. 742, as passed by the House, as new matter at the end of H.R. 739, and then lay on the table H.R. 740, H.R. 741, and H.R. 742. Finally, the rule provides that if H.R. 739 is disposed of without reaching the stage of engrossment, then whichever of H.R. 740, H.R. 741, or H.R. 742 that first passes the House shall be treated in the manner specified for H.R. 739 and all other bills that have passed the House shall be laid on the table. Testimony was heard from Chairman Boehner.

BRIEFING—LONDON ATTACKS

Permanent Select Committee on Intelligence: Met in executive session to receive a Briefing on the London attacks. The Committee was briefed by departmental witnesses.

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Tuesday, July 12, 2005

Senate

Chamber Action

Routine Proceedings, pages 15564–15626

Measures Introduced: Five bills and one resolution were introduced, as follows: S. 1381–1385, and S. Res. 196. **Page 15609**

Measures Reported:

S.J. Res. 18, approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003. (S. Rept. No. 109–101) **Page 15609**

Measures Passed:

Welcoming Prime Minister of Singapore: Senate agreed to S. Res. 196, welcoming the Prime Minister of Singapore on the occasion of his visit to the United States, expressing gratitude to the Government of Singapore for its strong cooperation with the United States in the campaign against terrorism, and reaffirming the commitment of the United States to the continued expansion of friendship and cooperation between the United States and Singapore. **Page 15619**

Department of Homeland Security Appropriations: Senate continued consideration of H.R. 2360, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006, taking action on the following amendments proposed thereto: **Page 15565**

Adopted:

By a unanimous vote of 95 yeas (Vote No. 174), Reid (for Murray) Amendment No. 1129, to provide emergency supplemental funds for medical services provided by the Veterans Health Administration for the fiscal year ending September 30, 2005. **Page 15579**

Kerry/Lautenberg Amendment No. 1162, to require the Inspector General to report to the Congress on the port security grant programs. **Page 15600**

By 71 yeas to 26 nays (Vote No. 175), Collins Amendment No. 1142, to provide for homeland security grant coordination and simplification. **Page 15604**

Rejected:

By 32 yeas to 65 nays (Vote No. 176), Feinstein Modified Amendment No. 1215, to improve the allocation of grants through the Department of Homeland Security. **Pages 15566, 15604**

Pending:

Byrd Amendment No. 1200, to provide funds for certain programs authorized by the Federal Fire Prevention and Control Act of 1974. **Page 15598**

Akaka Amendment No. 1112, to increase funding for State and local grant programs. **Page 15602**

Akaka Amendment No. 1113, to increase funding for State and local grant programs and firefighter assistance grants. **Page 15602**

Dorgan Amendment No. 1111, to prohibit the use of funds appropriated under this Act to promulgate the regulations to implement the plan developed pursuant to section 7209(b) of the Intelligence Reform Act of 2004. **Page 15603**

Durbin (for Boxer) Amendment No. 1216, to provide for the strengthening of security at nuclear power plants. **Page 15605**

Durbin (for Stabenow) Amendment No. 1217, to provide funding for interoperable communications equipment grants. **Page 15605**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m. on Wednesday, July 13, 2005. **Page 15619**

Nominations Received: Senate received the following nominations:

Keith A. Nelson, of Texas, to be an Assistant Secretary of Housing and Urban Development.

Rebecca F. Dye, of North Carolina, to be a Federal Maritime Commissioner for a term expiring June 30, 2010.

Patricia Louise Herbold, of Washington, to be Ambassador to the Republic of Singapore.

James Caldwell Cason, of Florida, to be Ambassador to the Republic of Paraguay.

Routine lists in the Army, Coast Guard, Navy. **Page 15620**

Messages From the House: **Page 15608**

Measures Referred: **Page 15608**

Measures Placed on Calendar: **Pages 15608, 15619**

Measures Read First Time: **Pages 15608, 15619**

Executive Communications: **Page 15608**

Additional Cosponsors: **Page 15609**

Statements on Introduced Bills/Resolutions: **Page 15612**

Additional Statements: **Page 15606**

Amendments Submitted: **Page 15617**

Notices of Hearings/Meetings: **Page 15618**

Authority for Committees to Meet: **Page 15618**

Privilege of the Floor: **Page 15619**

Record Votes: Three record votes were taken today. (Total—176) **Pages 15584, 15604, 15605**

Adjournment: Senate convened at 9:45 a.m., and adjourned at 6:09 p.m. until 9:30 a.m., on Wednesday, July 13, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 15620.)

Committee Meetings

STEM CELLS RESEARCH

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Agencies concluded a hearing to examine alternative methods for deriving stem cells, focusing on a single cell technique without destruction of the embryo, and a related measure, H.R. 810, to amend the Public Health Service Act to provide for human embryonic stem cell research (pending on Senate calendar), after receiving testimony from James F. Battey, Director, National Institute on Deafness and Other Communication Disorders, and Chair, National Institutes of Health Stem Cell Task Force, Department of Health and Human Services; Robert Lanza, Advanced Cell Technology, Worcester, Massachusetts; Ronald M. Green, Director, Dartmouth College Ethics Institute, Hanover, New Hampshire; George Q. Daley, Harvard Medical School, Boston, Massachusetts, on behalf of the American Society for Cell Biology; and William B. Hurlbut, Stanford University, Stanford, California.

APPROPRIATIONS: LABOR/HHS/EDUCATION

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Agencies approved for full Committee consideration H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, with an amendment in the nature of a substitute.

DIGITAL TELEVISION TRANSITION

Committee on Commerce, Science, and Transportation: Committee concluded hearings to examine issues concerning Digital Television (DTV) transition, after receiving testimony from Edward O. Fritts, National Association of Broadcasters, Kyle McSlarrow, National Cable and Telecommunications Association, Richard Slenker, DIRECTV, Inc., John M. Lawson, Association of Public Television Stations, Michael D. Kennedy, Motorola, Gene Kimmelman, Consumers Union, on behalf of Consumer Federation of America, and Michael Calabrese, New America Foundation, all of Washington, D.C.; Manuel Abud, KVEA–TV, Channel 52, Los Angeles, California, on behalf of Telemundo; Patrick Knorr, Sunflower Broadband, Lawrence, Kansas, on behalf of the American Cable Association; Harlin R. McEwen, Ithaca, New York, on behalf of the International Association of Chiefs of Police; Charles C. Townsend, Aloha Partners, LP, Rumford, Rhode Island; and Gary J. Shapiro, Consumer Electronics Association, Arlington, Virginia.

NOMINATIONS

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the nominations of Jill L. Sigal, of Wyoming, to be Assistant Secretary of Energy for Congressional and Intergovernmental Affairs, who was introduced by Senator Crapo; David R. Hill, of Missouri, to be General Counsel of the Department of Energy, and James A. Rispoli, of Virginia, to be Assistant Secretary of Energy for Environmental Management, after the nominees testified and answered questions in their own behalf.

WATER PROJECTS

Committee on Energy and Natural Resources: Subcommittee on Water and Power concluded a hearing to examine S. 49, to establish a joint Federal-State Floodplain and Erosion Mitigation Commission for the State of Alaska, S. 247, to authorize the Secretary of the Interior to assist in the planning, design, and construction of the Tumalo Irrigation District Water Conservation Project in Deschutes County, Oregon, S. 648, to amend the Reclamation States Emergency Drought Relief Act of 1991 to extend the authority for drought assistance, S. 819, to authorize the Secretary of the Interior to reallocate costs of the Pactola Dam and Reservoir, South Dakota, to reflect increased demands for municipal, industrial, and fish and wildlife purposes, S. 891, to extend the water service contract for the Ainsworth Unit, Sandhills Division, Pick-Sloan Missouri Basin Program, Nebraska, and S. 1338, to require the Secretary of the Interior, acting through the Bureau of Reclamation and the United States Geological Survey, to conduct a study on groundwater resources in the State of Alaska, after receiving testimony from John W. Keys III, Commissioner, Bureau of Reclamation, and Leslie Holland-Bartels, U.S. Geological Survey, both of the Department of the Interior; Edgar Blatchford, Alaska Department of Community and Economic Development, Anchorage; and Elmer McDaniels, Tumalo Irrigation District, Bend, Oregon.

DIESEL EMISSIONS REDUCTION ACT

Committee on Environment and Public Works: Subcommittee on Clean Air, Climate Change, and Nuclear Safety concluded a hearing to examine S. 1265, to make grants and loans available to States and other organizations to strengthen the economy, public health, and environment of the United States by reducing emissions from diesel engines, after receiving testimony from Wayne Nastri, Regional Administrator, Region 9—Pacific Southwest Region, Environmental Protection Agency; Joseph P. Koncelik, Ohio Environmental Protection Agency, Columbus; Judge Margaret Keliher, Dallas County Commissioner's Court, Dallas, Texas; Michael S. Cross, Cummins, Inc., Columbus, Indiana; Conrad G. Schneider, Brunswick, Maine, on behalf of the Clean Air Task Force; Timothy J. Regan, Emissions Control Technology Association, Washington, D.C.; and Stuart Nemser, Compact Membrane Systems, Inc., Wilmington, Delaware.

NORTH AMERICAN BORDER SECURITY

Committee on Foreign Relations: Committee concluded a hearing to examine North American cooperation on border security, after receiving testimony from Senators McCain, Cornyn, and Kennedy; Representative Harris; David V. Aguilar, Chief, U.S. Border Patrol, Customs and Border Protection, Department of Homeland Security; Perrin Beatty, Canadian Manufacturers and Exporters, Ottawa; and Jorge Castaneda, former Foreign Minister of Mexico, Mexico City.

FEDERAL FINANCIAL REPORTING

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, and International Security concluded an oversight hearing to examine truth and transparency in Federal financial reporting, focusing on challenges Federal agencies face in meeting the requirements of the Improper Payments Information Act of 2002, as well as incentives for improved reporting, and elimination of improper payments in the Federal government, after receiving testimony from McCoy Williams, Director, Financial Management and Assurance, Government Accountability Office; Linda M. Combs, Controller, Office of Federal Financial Management, Office of Management and Budget; Tim Hill, Director, Office of Financial Management, Centers for Medicare and Medicaid Services, Department of Health and Human Services; and Kate Coler, Deputy Under Secretary of Agriculture, Food, Nutrition, and Consumer Services.

MUSIC LICENSING REFORM

Committee on the Judiciary: Subcommittee on Intellectual Property held a hearing to examine music licensing reform issues, focusing on legal online music services, and equitable compensation of creators and copyright holders, receiving testimony from Marybeth Peters, Register of Copyrights, U.S. Copyright Office, Library of Congress; Rob Glaser, RealNetworks, Inc., Seattle, Washington, on behalf of the Digital Media Association; Rick Carnes, Songwriters' Guild of America, Nashville, Tennessee; Ismael Cuebas, Trans World Entertainment Corporation, Albany, New York, on behalf of the National Association of Recording Merchandisers; Glen Barros, Concord Music Group, Beverly Hills, California; Del R. Bryant, Broadcast Music, Inc., New York, New York; and David Israelite, National Music Publishers' Association, Washington, D.C.

Hearing recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 57 public bills, H.R. 3204–3260; 1 private bill, H.R. 3261; and 7 resolutions, H. Con. Res. 206–207; and H. Res. 356–360, were introduced. **Page 15735**

Additional Cosponsors: **Page 15737**

Reports Filed: Reports were filed today as follows:

H.R. 2385, to make permanent the authority of the Secretary of Commerce to conduct the quarterly financial report program, amended (H. Rept. 109–164); and H.R. 3100, to authorize measures to deter arms transfers by foreign countries to the People's Republic of China, (H. Rept. 109–165). **Page 15735**

Speaker: Read a letter from the Speaker wherein he appointed Representative Burgess to act as speaker pro tempore for today. **Page 15627**

Chaplain: The prayer was offered today by Rabbi David Greene, Chabad-Lubavitch in Rochester, Minnesota. **Page 15629**

Recess: The House recessed at 9:22 a.m. and reconvened at 10 a.m. **Page 15629**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Excluding from consideration as income certain payments under the national flood insurance program: H.R. 804, amended, to exclude from consideration as income certain payments under the national flood insurance program; **Page 15634**

NASA and JPL 50th Anniversary Commemorative Coin Act: H.R. 68, amended, to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the establishment of the National Aeronautics and Space Administration and the Jet Propulsion Laboratory; and **Page 15637**

Commending the State of Kuwait for granting women important political rights: Debated on Monday, July 11: H. Res. 343, commending the State of Kuwait for granting women certain important political rights, by a ⅔ yea-and-nay vote of 420 yeas with none voting "nay", Roll No. 368. **Page 15666**

Suspension—Failed: The House failed to agree to suspend the rules and pass the following measure:

Providing that the House will focus on removing barriers to competitiveness of the U.S. economy: H. Res. 352, providing that the House of Representatives will focus on removing barriers to competitiveness of the United States economy, by a ⅔ yea-and-nay vote of 242 yeas to 177 nays, Roll No. 367. **Pages 15643, 15665**

Occupational Safety and Health Small Business Day in Court Act of 2005: The House passed H.R. 739, to amend the Occupational Safety and Health Act of 1970 to provide for adjudicative flexibility with regard to the filing of a notice of contest by an employer following the issuance of a citation or proposed assessment of a penalty by the Occupational Safety and Health Administration, by a yea-and-nay vote of 256 yeas to 164 nays, Roll No. 369. **Pages 15666, 15697**

Pursuant to H. Res. 351, the texts of H.R. 740, Occupational Safety and Health Review Commission Efficiency Act of 2005, H.R. 741, Occupational Safety and Health Independent Review of OSHA Citations Act of 2005, and H.R. 742, Occupational Safety and Health Independent Review of OSHA Citations Act of 2005, were appended to the engrossment of H.R. 739 and the bills H.R. 740, 741, and 742 were laid on the table. **Page 15700**

Also pursuant to H. Res. 351, the title of H.R. 739 was conformed to reflect the addition of the texts of H.R. 740, H.R. 741, and H.R. 742. Conformed so as to read: to amend the Occupational Safety and Health Act of 1970 to provide for adjudicative flexibility with regard to the filing of a notice of contest by an employer following the issuance of a citation or proposed assessment of a penalty by the Occupational Safety and Health Administration, to provide for greater efficiency at the Occupational Safety and Health Review Commission, to provide for judicial deference to conclusions of law determined by the Occupational Safety and Health Review Commission with respect to an order issued by the Commission, and to provide for the award of attorneys fees and costs to small employers when such employers prevail in litigation prompted by the issuance of a citation by the Occupational Safety and Health Administration.

H. Res. 351, the rule providing for consideration of the bill was agreed to by a recorded vote of 224 ayes to 189 noes, Roll No. 366, after agreeing to order the previous question by a yea-and-nay vote of 223 yeas to 191 nays, Roll No. 365. **Page 15650**

Occupational Safety and Health Review Commission Efficiency Act of 2005: The House passed H.R. 740, to amend the Occupational Safety and Health Act of 1970 to provide for greater efficiency at the Occupational Safety and Health Review Commission, by a yea-and-nay vote of 234 yeas to 185 nays, Roll No. 370. **Pages 15676, 15698**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce, now printed in the bill, was adopted.

H. Res. 351, the rule providing for consideration of the bill was agreed to by a recorded vote of 224 ayes to 189 noes, Roll No. 366, after agreeing to order the previous question by a yea-and-nay vote of 223 yeas to 191 nays, Roll No. 365. **Page 15650**

Occupational Safety and Health Independent Review of OSHA Citations Act of 2005: The House passed H.R. 741, to amend the Occupational Safety and Health Act of 1970 to provide for judicial deference to conclusions of law determined by the Occupational Safety and Health Review Commission with respect to an order issued by the Commission, by a yea-and-nay vote of 226 yeas to 197 nays, Roll No. 371. **Pages 15683, 15698**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce, now printed in the bill, was adopted.

H. Res. 351, the rule providing for consideration of the bill was agreed to by a recorded vote of 224 ayes to 189 noes, Roll No. 366, after agreeing to order the previous question by a yea-and-nay vote of 223 yeas to 191 nays, Roll No. 365. **Page 15650**

Occupational Safety and Health Independent Review of OSHA Citations Act of 2005: The House passed H.R. 742, to amend the Occupational Safety and Health Act of 1970 to provide for the award of attorneys' fees and costs to small employers when such employers prevail in litigation prompted by the issuance of a citation by the Occupational Safety and Health Administration, by a yea-and-nay vote of 235 yeas to 187 nays, Roll No. 372. **Page 15689**

H. Res. 351, the rule providing for consideration of the bill was agreed to by a recorded vote of 224 ayes to 189 noes, Roll No. 366, after agreeing to order the previous question by a yea-and-nay vote of 223 yeas to 191 nays, Roll No. 365. **Page 15650**

Senate Message: Message received from the Senate today appears on page 15629.

Quorum Calls—Votes: Seven yea-and-nay votes and one recorded vote developed during the proceedings of today and appear on pages 15663–66 and 15697–15700. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 10:05 p.m.

Committee Meetings

U.S. COUNTERNARCOTICS PROGRAMS

Committee on Appropriations: Subcommittee on Foreign Operations, Export Financing, and Related Programs held a hearing on U.S. Counternarcotics Programs. Testimony was heard from the following officials of the Department of State: Ambassador Nancy Powell, Acting Assistant Secretary, Bureau for International Narcotics Control and Law Enforcement; and Jim Kunder, Assistant Administrator, USAID, Bureau for Asia and the Near East.

CUSTOMS AND BORDER PROTECTION, DETENTION AND REMOVAL OPERATIONS

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on Customs and Border Protection, Detention and Removal Operations. Testimony was heard from the following officials of the Department of Homeland Security: David Aguilar, Chief, U.S. Border Patrol; and Leonnard Kovensky, Acting Assistant Director, Detention and Removal Operations, Immigration and Customs Enforcement.

SPACE ACQUISITION

Committee on Armed Services: Subcommittee on Strategic Forces held a hearing on space acquisition. Testimony was heard from GEN Lance W. Lord, USAF, Commander, U.S. Air Force Space Command, Department of Defense; Peter Rostan, Director, Advanced Science and Technology, National Reconnaissance Office; Robert Levin, Director, Acquisition and Sourcing Management, GAO; and A. Thomas Young, former Chairman, Defense Science Board, Department of Defense.

COORDINATION AMONG FEDERAL YOUTH DEVELOPMENT PROGRAMS

Committee on Education and the Workforce: Subcommittee on Select Education held a hearing entitled "Coordination Among Federal Youth Development Programs." Testimony was heard from Michael J. O'Grady, Assistant Secretary, Planning and Evaluation, Department of Health and Human Services; Richard G. Moore, Criminal and Juvenile Justice Planning Division, Department of Human Rights, State of Iowa; and public witnesses.

NATIONAL FLOOD INSURANCE PROGRAM

Committee on Financial Services: Subcommittee on Housing and Community Opportunity held a hearing entitled "Flood Map Modernization and the Future of the National Flood Insurance Program." Testimony was heard from David I. Maurstad, Acting Mitigation Division Director and Federal Insurance Administrator, Emergency Preparedness and Response Directorate, Department of Homeland Security; William O. Jenkins, Director, Homeland Security and Justice, GAO; and public witnesses.

THREAT CONVERGENCE AT THE BORDER

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing entitled "Threat Convergence at the Border: How Can We Improve the Federal Effort to Dismantle Criminal Smuggling Organizations?" Testimony was heard from Richard M. Stana, Director, Homeland Security and Justice, GAO.

PROJECT BIOSHIELD

Committee on Homeland Security: Subcommittee on Emergency Preparedness, Science and Technology held a hearing entitled "Project BioShield: Linking Bioterrorism Threats and Countermeasure Procurement to Enhance Terrorism Preparedness." Testimony was heard from Stewart Simonson, Assistant Secretary, Office of Public Health Emergency Preparedness, Department of Health and Human Services; the following officials of the Department of Homeland Security: John Vitko, Jr., Director, Biological Countermeasures Portfolio, Directorate of Science and Technology; and Karen T. Morr, Acting Assistant Secretary, Office of Information Analysis, Information Analysis and Infrastructure Protection Directorate; and public witnesses.

NUCLEAR FUEL REPROCESSING—ECONOMIC ASPECTS

Committee on Science: Subcommittee on Energy held a hearing on Economic Aspects of Nuclear Fuel Reprocessing. Testimony was heard from public witnesses.

BRIEFING—INTELLIGENCE OVERVIEW

Permanent Select Committee on Intelligence: Subcommittee on Intelligence Policy met in executive session to receive a

Briefing on Intelligence Overview. Testimony was heard from departmental witnesses.

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Wednesday, July 13, 2005

Senate

Chamber Action

Routine Proceedings, pages 15814–15910

Measures Introduced: Ten bills and one resolution were introduced, as follows: S. 1386–1395, and S. Res. 197. **Page 15880**

Measures Reported:

S. 364, to establish a program within the National Oceanic Atmospheric Administration to integrate Federal coastal and ocean mapping activities, with amendments. (S. Rept. No. 109–102) **Page 15880**

Measures Passed:

Controlled Substances Import and Export Act: Senate passed S. 1395, to amend the Controlled Substances Import and Export Act to provide authority for the Attorney General to authorize the export of controlled substances from the United States to another country for subsequent export from that country to a second country, if certain conditions and safeguards are satisfied. **Page 15908**

Good Friday Agreement: Committee on Foreign Relations was discharged from further consideration of S. Res. 173, expressing support for the Good Friday Agreement of 1998 as the blueprint for lasting peace in Northern Ireland, and the resolution was then agreed to. **Page 15909**

Office of Compliance Term Extensions: Senate passed H.R. 3071, to permit the individuals currently serving as Executive Director, Deputy Executive Directors, and General Counsel of the Office of Compliance to serve one additional term, clearing the measure for the President. **Page 15910**

Department of Homeland Security Appropriations: Senate continued consideration of H.R. 2360, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006, taking action on the following amendments proposed thereto: **Page 15815**

Adopted:

Salazar Amendment No. 1207, to provide for a report on the effectiveness of programs concerning State and local government emergency officials. **Pages 15816, 15821**

Salazar Modified Amendment No. 1209, to require a quadrennial review by the Department of Homeland Security. **Pages 15816, 15821**

Salazar Modified Amendment No. 1210, to express the sense of the Senate regarding rail tunnel security research. **Pages 15816, 15821**

Pryor Amendment No. 1125, to encourage the acquisition by the Secretary of Homeland Security of an integrated mobile medical system. **Page 15827**

Schumer/Boxer Modified Amendment No. 1184, to encourage the Secretary of Homeland Security to designate an agency within the Department of Homeland Security as having responsibility for countermeasures for man portable air defense systems (MANPADS). **Page 15835**

Clinton Modified Amendment No. 1105, to require a detailed description of certain costs incurred by, and payments made to, New York City, the State of New York, and certain related entities, as a result of the terrorist attacks of September 11, 2001. **Page 15844**

Clinton Amendment No. 1106, to require the Secretary of Homeland Security to report to Congress regarding the vulnerability of certain facilities and measures to provide greater security. **Page 15844**

Ensign Modified Amendment No. 1104, to require the Transportation Security Administration to potentially implement the use of multi-compartment bins to screen passenger belongings at security checkpoints. **Page 15845**

Byrd (for Feingold) Amendment No. 1120, to require reports to Congress on Department of Homeland Security use of data-mining. **Page 15848**

Byrd (for Boxer) Modified Amendment No. 1155, to provide oversight of homeland security spending. **Page 15848**

Byrd Amendment No. 1201, to require State and local governments to expend or return grant funds. **Page 15849**

Durbin Amendment No. 1166, to provide that MidAmerica St. Louis Airport in Mascoutah, Illinois, shall be designated as a port of entry. **Page 15850**

Gregg (for Thomas) Amendment No. 1172, to authorize and direct the Secretary of Homeland Security to designate Natrona County International Airport, Wyoming, as an airport at which certain private aircraft arriving in the United States from a foreign area may land for processing by the United States Customs and Border Protection. **Page 15864**

Gregg (for Hutchison) Modified Amendment No. 1173, to express the sense of the Senate regarding coordination with the American Red Cross. **Page 15865**

Gregg (for Hatch) Amendment No. 1221 (to Amendment No. 1171, as modified), to clarify the source of allocated funds. **Page 15865**

Reid Amendment No. 1161, to express the sense of the Senate on the submittal to Congress of a report on performance indicators on Iraq. **Page 15865**

Voinovich Amendment No. 1075, to increase funds for emergency management performance grants, with an offset. **Pages 15839, 15866**

McCain Modified Amendment No. 1151, to specify how certain vehicles are to be deployed to enhance border security. **Pages 15832, 15867**

Withdrawn:

Schumer Amendment No. 1183, to provide additional funding to counter man portable air defense systems. **Page 15835**

Pending:

Byrd Amendment No. 1200, to provide funds for certain programs authorized by the Federal Fire Prevention and Control Act of 1974. **Page 15815**

Akaka Amendment No. 1113, to increase funding for State and local grant programs and firefighter assistance grants. **Page 15815**

Dorgan Amendment No. 1111, to prohibit the use of funds appropriated under this Act to promulgate the regulations to implement the plan developed pursuant to section 7209(b) of the Intelligence Reform Act of 2004. **Page 15815**

Durbin (for Boxer) Amendment No. 1216, to provide for the strengthening of security at nuclear power plants. **Page 15815**

Durbin (for Stabenow) Amendment No. 1217, to provide funding for interoperable communications equipment grants. **Page 15818**

Subsequently, a point of order was raised with respect to the emergency designation provision in the amendment and a motion to waive was entered. **Page 15821**

Gregg (for Ensign) Modified Amendment No. 1124, to transfer appropriated funds from the Office of State and Local Government Coordination and Preparedness to U.S. Customs and Border Protection for the purpose of hiring 1,000 additional border agents and related expenditures. **Pages 15816, 15846**

McCain Modified Amendment No. 1150, to increase the number of border patrol agents consistent with the number authorized in the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458). **Page 15832**

McCain Modified Amendment No. 1171, to increase the number of detention beds and positions or FTEs in the United States consistent with the number authorized in the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458). **Pages 15833, 15838**

Schumer Amendment No. 1189, to provide that certain air cargo security programs are implemented. **Pages 15836, 15838**

Subsequently, a point of order was raised that the amendment would provide spending in excess of the subcommittee's 302(b) allocation and a motion to waive was entered. **Page 15838**

Schumer Amendment No. 1190, to appropriate $70,000,000 to identify and track hazardous materials shipments. **Page 15837**

Subsequently, a point of order was raised that the amendment would provide spending in excess of the subcommittee's 302(b) allocation and a motion to waive was entered. **Page 15838**

Reid (for Byrd) Amendment No. 1218, to provide additional funding for intercity passenger rail transportation, freight rail, and mass transit. **Pages 15841, 15847**

Ensign Amendment No. 1219 (to Amendment No. 1124), of a perfecting nature. **Pages 15846, 15849–88**

Shelby Modified Amendment No. 1205, to appropriate funds for transit security grants for fiscal year 2006 authorized in the Public Transportation Terrorism Prevention Act of 2004. **Page 15851**

Gregg Amendment No. 1220 (to Amendment No. 1205, as modified), of a perfecting nature. **Page 15852**

During consideration of this measure today, the Senate also took the following actions:

By 36 yeas to 60 nays (Vote No. 177), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Dodd/Stabenow Modified Amendment No. 1202, to fund urgent priorities for our Nation's firefighters, law enforcement personnel, emergency medical personnel, and all Americans by reducing the tax breaks for individuals with annual incomes in excess of $1 million. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell. **Pages 15824, 15853, 15864**

By 42 yeas to 55 nays (Vote No. 178), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Akaka Modified Amendment No. 1112, to increase funding for State and local grant programs. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell. **Pages 15862, 15864**

A unanimous-consent agreement was reached providing that at 10 a.m. on Thursday, July 14, 2005, Senate proceed to a series of votes on or in relation to certain pending amendments; further, that no second-degree amendments be in order to any of the amendments prior to the votes. **Page 15865**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m. on Thursday, July 14, 2005; further, that the time until 10 a.m. be equally divided. **Page 15910**

Messages From the House: **Page 15878**

Measures Referred: **Page 15878**

Measures Placed on Calendar: **Pages 15878, 15907**

Measures Read First Time: **Pages 15878, 15907**

Executive Communications: **Page 15878**

Executive Reports of Committees: **Page 15880**

Additional Cosponsors: Pages 15881, 15910

Statements on Introduced Bills/Resolutions: Page 15884

Additional Statements: Page 15874

Amendments Submitted: Page 15902

Notices for Hearings/Meetings: Page 15902

Authority for Committees to Meet: Page 15902

Record Votes: Two record votes were taken today. (Total—178) Page 15864

Adjournment: Senate convened at 9:30 a.m., and adjourned at 8:44 p.m. until 9:30 a.m., on Thursday, July 14, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 15910.)

Committee Meetings

GUANTANAMO BAY

Committee on Armed Services: Committee concluded open and closed hearings to examine the investigation into Federal Bureau of Investigations allegations of detainee abuse at the Guantanamo Bay, Cuba Detention Facility, after receiving testimony from General Bantz J. Craddock, USA, Commander, U.S. Southern Command; Lieutenant General Randall M. Schmidt, USAF, Senior Investigating Officer; and Brigadier General John T. Furlow, USA, Investigating Officer.

NOMINATIONS

Committee on Armed Services: Committee ordered favorably reported the nominations of General Peter Pace, USMC, for reappointment to the grade of general and to be Chairman, Joint Chiefs of Staff, Admiral Edmund P. Giambastiani, Jr., USN, for reappointment to the grade of admiral and to be Vice Chairman, Joint Chiefs of Staff, and 8 nominations in the Army, Navy, and Air Force.

TERRORIST FINANCING

Committee on Banking, Housing, and Urban Affairs: Committee held a hearing to examine money laundering and terror financing issues in the Middle East, focusing on the Financial Action Task Force, the use of charities to fund terrorism, and the Presidential Executive Order (13224) which allows the United States to freeze the assets of certain organizations, after receiving testimony from Stuart Levey, Under Secretary of the Treasury, Office of Terrorism and Financial Intelligence; E. Anthony Wayne, Assistant Secretary for Economic and Business Affairs, and Nancy Powell, Acting Assistant Secretary for International Narcotics and Law Enforcement, both of the Department of State; Dennis M. Lormel, Corporate Risk International, Fairfax, Virginia; Steven Emerson, The Investigative Project on Terrorism, Washington, D.C.; and Mahmoud A. El-Gamal, Rice University, Houston, Texas.

Hearing recessed subject to the call.

AIRLINE FINANCIAL STABILITY

Committee on Commerce, Science, and Transportation: Subcommittee on Aviation concluded a hearing to examine the financial stability of airlines, focusing on the continued financial difficulties faced by legacy airlines, the effect of bankruptcy on the industry and competitors, and the effect of airline pension underfunding on employees, airlines and the Pension Benefit Guaranty Corporation, after receiving testimony from JayEtta Z. Hecker, Director, Physical Infrastructure Issues, Government Accountability Office; James C. May, Air Transport Association of America, Inc., Washington, D.C.; Jamie N. Baker, J.P. Morgan Securities Inc., New York, New York; and Robert Roach, Jr., International Association of Machinists and Aerospace Workers, Upper Marlboro, Maryland.

ENDANGERED SPECIES ACT: PRIVATE LANDOWNER INCENTIVES

Committee on Environment and Public Works: Subcommittee on Fisheries, Wildlife, and Water concluded a hearing to examine the Endangered Species Act and incentives for private landowners, focusing on existing Federal incentives for private landowners to protect threatened and endangered species, as well as new and innovative ways for incentivizing species protection on private lands, after receiving testimony from Marshall P. Jones, Deputy Director, Fish and Wildlife Service, Department of the Interior; Sara Braasch, Regional Assistant Chief, Natural Resources Conservation Service, Department of Agriculture; Michael J. Bean, Environmental Defense, and Laurence D. Wiseman, on behalf of the American Forest Foundation and the American Tree Farm System, both of Washington, D.C.; Paul Campos, Home Builders Association of Northern California, Contra Costa County, on behalf of the National Association of Home Builders; Alan Foutz, Colorado Farm Bureau, Akron, on behalf of the American Farm Bureau Federation; and Robert J. Olszewski, Plum Creek Timber Company, Inc., Atlanta, Georgia.

CHEMICAL FACILITY SECURITY

Committee on Homeland Security and Governmental Affairs: Committee resumed hearings to examine the Federal role regarding chemical facility security, receiving testimony from Martin J. Durbin, American Chemistry Council, Arlington, Virginia; Matthew Barmasse, ISOCHEM, Inc., Lockport, New York, on behalf of Synthetic Organic Chemical Manufacturers Association; Bob Slaughter, National Petrochemical and Refiners Association, and Gerald V. Poje, National Academy of Science, both of Washington, D.C.; Glenn Erwin, United Steel Workers International Union, Washburn, Missouri; and Carol L. Andress, Environmental Defense Fund, New York, New York.

Hearings will continue on Wednesday, July 27, 2005.

STREAMLINED PROCEDURES ACT

Committee on the Judiciary: Committee concluded a hearing to examine current habeas corpus proceedings and issues of actual innocence, focusing on S. 1088, to establish streamlined procedures for collateral review of mixed petitions, amendments, and defaulted claims, after receiving testimony from Seth P. Waxman, Wilmer, Cutler, Pickering, Hale and Dorr, Washington, D.C., former Solicitor General of the United States; Thomas Dolgenos, Office of Philadelphia District Attorney, Philadelphia, Pennsylvania; John Pressley Todd and Kent E. Cattani, both of the Office of Arizona Attorney General, Phoenix; and Barry C. Scheck, Yeshiva University Cardozo School of Law, and Bryan A. Stevenson, New York University School of Law, both of New York, New York.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 14 public bills, H.R. 3262–3275; and 3 resolutions, H.J. Res. 58; H. Con. Res. 208; and H. Res. 361 were introduced. **Page 15812**

Additional Cosponsors: **Page 15813**

Reports Filed: Reports were filed today as follows:

H.R. 624, to amend the Federal Water Pollution Control Act to authorize appropriations for sewer overflow control grants (H. Rept. 109–166);

H.R. 1359, to amend the Federal Water Pollution Control Act to extend the pilot program for alternative water source projects, amended (H. Rept. 109–167); and

H.R. 2601, to authorize appropriations for the Department of State for fiscal years 2006 and 2007, amended (H. Rept. 109–168). **Page 15812**

Speaker: Read a letter from the Speaker wherein he appointed Representative Simpson to act as speaker pro tempore for today. **Page 15752**

Chaplain: The prayer was offered today by Rev. Dr. Arnold B. Lovell, Senior Pastor, Second Baptist Church in Knoxville, Tennessee. **Page 15752**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Veterans' Compensation Cost-of-Living Adjustment Act of 2005: H.R. 1220, amended, to increase, effective as of December 1, 2005, the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans; **Page 15758**

Making permanent the authority of the Secretary of Commerce to conduct the quarterly financial report program: H.R. 2385, amended, to make permanent the authority of the Secretary of Commerce to conduct the quarterly financial report program; **Page 15764**

Agreed to amend the title so as to read: to extend by 10 years the authority of the Secretary of Commerce to conduct the quarterly financial report program. **Page 15766**

John F. Whiteside Joliet Post Office Building Designation Act: H.R. 2113, to designate the facility of the United States Postal Service located at 2000 McDonough Street in Joliet, Illinois, as the "John F. Whiteside Joliet Post Office Building"; **Page 15766**

Vincent Palladino Post Office Building Designation Act: H.R. 2183, to designate the facility of the United States Postal Service located at 567 Tompkins Avenue in Staten Island, New York, as the "Vincent Palladino Post Office"; and **Page 15768**

J.M. Dietrich Northeast Annex Designation Act: H.R. 2630, to redesignate the facility of the United States Postal Service located at 1927 Sangamon Avenue in Springfield, Illinois, as the "J.M. Dietrich Northeast Annex". **Page 15769**

Suspensions—Proceedings Postponed: The House completed debate on the following measures under suspension of the rules. Further consideration will continue tomorrow, July 14.

East Asia Security Act of 2005: H.R. 3100, to authorize measures to deter arms transfers by foreign countries to the People's Republic of China; **Page 15770**

Commemorating the 60th anniversary of the conclusion of the war in the Pacific and honoring the veterans of WWII: H. Con. Res. 191, amended, commemorating the 60th anniversary of the conclusion of the war in the Pacific and honoring veterans of both the Pacific and Atlantic theaters of the Second World War; and **Page 15774**

Condemning the terrorist attacks in London, England on July 7, 2005: H. Res. 356, condemning in the strongest terms the terrorist attacks in London, England, on July 7, 2005. **Page 15777**

Water Resources Development Act of 2005—Rule for Consideration: The House agreed to H. Res. 346, the rule providing for consideration of H.R. 2864, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, by voice vote. **Page 15779**

Recess: The House recessed at 1:27 p.m. and reconvened at 1:54 p.m. **Page 15783**

Energy Policy Act of 2005—Motion to go to Conference: The House disagreed to the Senate amendment and agreed to a conference on H.R. 6, to ensure jobs for our future with secure, affordable, and reliable energy. **Page 15783**

The House began consideration of the Capps motion to instruct conferees on the bill. Futher consideration will continue tomorrow, July 14. **Page 15783**

Quorum Calls—Votes: There were no votes or quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 5:10 p.m.

Committee Meetings

NATIONAL SECURITY IMPLICATIONS—CHINA NATIONAL OFFSHORE OIL MERGER—UNOCAL CORPORATION

Committee on Armed Services: Held a hearing on national security implications of the possible merger of the China National Offshore Oil Corporation with Unocal Corporation. Testimony was heard from C. Richard D'Amato, Chairman, U.S.-China Economic and Security Review Commission; R. James Woolsey, former Director, CIA; and public witnesses.

COLLEGE ACCESS AND OPPORTUNITY ACT OF 2005

Committee on Education and the Workforce: Subcommittee on 21st Century Competitiveness began mark up of H.R. 609, College Access and Opportunity Act of 2005.

Will continue tomorrow.

TREASURY'S REPORT—TERRORISM RISK INSURANCE ACT

Committee on Financial Services: Held a hearing entitled "Treasury's Report to Congress on the Terrorism Risk Insurance Act (TRIA)," Testimony was heard from John W. Snow, Secretary of the Treasury.

ENTREPRENEURIALISM AND FEDERAL GOVERNMENT

Committee on Government Reform: Subcommittee on Federal Workforce and Agency Organization held a hearing entitled "From Bureaucrats to Plutocrats: Can Entrepreneurialism Work in the Federal Government?" Testimony was heard from David M. Walker, Comptroller General of the United States, GAO; former Speaker of the House of Representatives Newt L. Gingrich of Georgia; and a public witness.

IMPROVE AVIATION SECURITY

Committee on Homeland Security: Subcommittee on Economic Security, Infrastructure Protection, and Cybersecurity held a hearing entitled "Leveraging Technology to Improve Aviation Security." Testimony was heard from Cathleen A. Berrick, Director, Homeland Security and Justice, GAO; and public witnesses.

U.S. AND RUSSIA BIOLOGICAL WEAPONS PROGRAMS

Committee on Homeland Security: Subcommittee on Prevention of Nuclear and Biological Attack held a hearing entitled "Engineering Bio-Terror Agents: Lessons from the Offensive U.S. and Russian Biological Weapons Programs." Testimony was heard from public witnesses.

USA PATRIOT AND TERRORISM PREVENTION REAUTHORIZATION ACT OF 2005

Committee on the Judiciary: Ordered reported, as amended, H.R. 3199, USA PATRIOT and Terrorism Prevention Reauthorization Act of 2005.

FEDERAL LANDS—MOTORIZED RECREATIONAL USE

Committee on Resources: Subcommittee on National Parks and the Subcommittee on Forests and Forest Health held a joint hearing entitled "Motorized Recreational Use on Federal Lands." Testimony was heard from Dale Bosworth, Chief, Forest Service, USDA; Ed Shepard, Assistant Director, Renewable Resources and Planning, Bureau of Land Management, Department of the Interior; and public witnesses.

SMALL BUSINESS DEVELOPMENT CENTERS

Committee on Small Business: Held a hearing entitled "Small Business Development Centers: New Offerings for a New Economy," Testimony was heard from public witnesses.

SERVICEMEMBERS' GROUP LIFE INSURANCE ENHANCEMENT ACT OF 2005

Committee on Veterans' Affairs: Subcommittee on Disability Assistance and Memorial Affairs approved for full Committee action H.R. 3200, Servicemembers' Group Life Insurance Enhancement Act of 2005.

USA PATRIOT AND TERRORISM PREVENTION REAUTHORIZATION ACT OF 2005

Permanent Select Committee on Intelligence: Ordered reported, as amended, H.R. 3199, the USA PATRIOT and Terrorism Prevention Reauthorization Act of 2005.

Joint Meetings

YUKOS AFFAIR

Commission on Security and Cooperation in Europe (Helsinki Commission): Commission met to receive a briefing regarding the political and business implications of the prosecution and imprisonment of Russian Yukos Oil Chairman and Chief Executive Officer (CEO) Mikhail Khodorkovsky from Peter Roudik, Senior Foreign Law Expert, Congressional Research Service, Library of Congress; and Leonid Nevzlin, Tel Aviv, Israel.

Thursday, July 14, 2005

Senate

Chamber Action

Routine Proceedings, pages 16043–16129

Measures Introduced: Fifteen bills were introduced, as follows: S. 1396–1410. **Page 16099**

Measures Reported: H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, with an amendment in the nature of a substitute. (S. Rept. No. 109–103)

S. 662, to reform the postal laws of the United States, with an amendment in the nature of a substitute. **Page 16099**

Measures Passed:

Department of Homeland Security Appropriations: By 96 yeas to 1 nay (Vote No. 189), Senate passed H.R. 2360, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006, after taking action on the following amendments proposed thereto: **Page 16044**

Adopted:

Corzine Amendment No. 1208, to express the sense of the Senate that Federal standards should be established to protect United States chemical facilities from terrorist attacks. **Page 16044**

Gregg (for Nelson (FL)) Amendment No. 1117, to provide for clear, concise, and uniform guidelines for reimbursement for hurricane debris removal for counties affected by hurricanes. **Page 16050**

Gregg (for Nelson (FL)) Amendment No. 1118, to provide for a report describing changes made to Federal emergency preparedness and response policies and practices in light of the May 20, 2005 Department of Homeland Security Inspector General's Report. **Page 16050**

Gregg (for Collins) Amendment No. 1137, to allow additional uses for funds provided under the law enforcement terrorism prevention grants. **Page 16050**

Gregg (for Lott) Amendment No. 1108, to express the sense of the Senate regarding a study of the potential use of FM radio signals for an emergency messaging system. **Page 16051**

Gregg (for Lautenberg) Amendment No. 1197, to clarify authorization for port security grants. **Page 16051**

Gregg (for Nelson (FL)) Amendment No. 1194, to require the Under Secretary for Emergency Preparedness and Response to propose new inspection guidelines within 90 days of enactment that prohibit inspectors from entering into a contract with any individual or entity for whom the inspector performs an inspection for purposes of determining eligibility for assistance from the Federal Emergency Management Agency. **Page 16051**

Dorgan Modified Amendment No. 1111, to prohibit the use of funds appropriated under this Act to promulgate the regulations to implement the plan developed pursuant to section 7209(b) of the 9/11 Commission Implementation Act of 2004, to limit United States citizens to a passport as the exclusive document to be presented upon entry into the United States from Canada by land. **Page 16051**

Gregg (for Sarbanes) Amendment No. 1206, to require that funds be made available for the United States Fire Administration. **Page 16077**

Gregg (for Landrieu) Amendment No. 1110, to give priority for port security grants to ports with high impact targets, including ports that accommodate liquified petroleum vessels or are close to liquified natural gas facilities. **Page 16077**

Gregg (for Reid) Modified Amendment No. 1160, to require a report on the Homeland Security Advisory System. **Page 16077**

Reid (for Byrd/Stabenow) Amendment No. 1224, to make certain funding revisions with respect to firefighter assistance grants, preparedness and recovery, interoperable communications grants, disaster relief, and the counterterrorism fund. **Pages 16077, 16079**

Durbin (for Boxer/Inhofe) Modified Amendment No. 1216, to provide for the strengthening of security at nuclear power plants. **Page 16079**

Gregg (for Sessions/Hatch) Modified Amendment No. 1140, to provide $5 million for costs incurred to train state and local personnel to perform immigration functions. **Page 16079**

Gregg (for Martinez/Reid) Modified Amendment No. 1144, to express the sense of the Senate regarding threat assessment of major tourist attractions. **Page 16080**

Gregg (for Kennedy) Amendment No. 1225 (to Amendment No. 1139), to provide funds for the Legal Orientation Program. **Page 16080**

Gregg (for Sessions/Hatch) Modified Amendment No. 1139, to appropriate $1 million for entering information into the National Crime Information Center database. **Page 16080**

Rejected:

By 38 yeas to 60 nays (Vote No. 179), Ensign Amendment No. 1219 (to Amendment No. 1124), of a perfecting nature. **Page 16046**

Gregg (for Ensign) Modified Amendment No. 1124, to transfer appropriated funds from the Office of State and Local Government Coordination and Preparedness to the U.S. Customs and Border Protection for the purpose of hiring 1,000 additional border agents and related expenditures. **Page 16046**

By 42 yeas to 56 nays (Vote No. 182), McCain Modified Amendment No. 1171, to increase the number of detention beds and positions or FTEs in the United States consistent with the number authorized in the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458), as amended. **Page 16048**

Durbin (for Stabenow) Amendment No. 1217, to provide funding for interoperable communications equipment grants. **Page 16049**

By 46 yeas to 52 nays (Vote No. 185), Gregg Further Modified Amendment No. 1220, to allocate funds for certain terrorism prevention activities, including rail and transit security. **Page 16061**

By 33 yeas to 64 nays (Vote No. 187), Frist Amendment No. 1223, to protect classified information and to protect our servicemen and women. **Pages 16064, 16076**

By 44 yeas to 53 nays (Vote No. 188), Reid Amendment No. 1222, to prohibit Federal employees who disclose classified information to persons not authorized to receive such information from holding a security clearance. **Pages 16049, 16065**

Withdrawn:

Akaka Amendment No. 1113, to increase funding for State and local grant programs and firefighter assistance grants. **Page 16051**

Byrd Amendment No. 1200, to provide funds for certain programs authorized by the Federal Fire Prevention and Control Act of 1974. **Page 16080**

McCain Modified Amendment No. 1150, to increase the number of border patrol agents consistent with the number authorized in the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458). **Page 16080**

During consideration of this measure today, the Senate also took the following actions:

By 45 yeas to 53 nays (Vote No. 180), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Schumer Amendment No. 1189, to provide that certain air cargo security programs are implemented. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell. **Page 16047**

By 36 yeas to 62 nays (Vote No. 181), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Schumer Amendment No. 1190, to appropriate $70,000,000 to identify and track hazardous materials shipments. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell. **Page 16048**

By 35 yeas to 63 nays (Vote No. 183), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 402(b)(5) of H. Con. Res. 95, Congressional Budget Resolution, with respect to the emergency designation provision in Durbin (for Stabenow) Amendment No. 1217, to provide funding for interoperable communications equipment grants. Subsequently, a point of order that the emergency designation provision would violate section 402(b)(5) of H. Con. Res. 95 was sustained and the provision was stricken. **Page 16050**

By 43 yeas to 55 nays (Vote No. 184), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Reid (for Byrd) Amendment No. 1218, to provide additional funding for intercity passenger rail transportation, freight rail, and mass transit. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell. **Page 16060**

By 53 yeas to 45 nays (Vote No. 186), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Shelby Modified Amendment No. 1205, to allocate funds for certain terrorism prevention activities, including rail and transit security. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell. **Pages 16056, 16063**

A unanimous-consent agreement was reached providing that Hatch Amendment No. 1221, to clarify the source of funds allocated under Amendment No. 1171 to H.R. 2360, previousley agreed to on July 13, 2005, was modified. **Page 16048**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Gregg, Cochran, Stevens, Specter, Domenici, Shelby, Craig, Bennett, Allard, Byrd, Inouye, Leahy, Mikulski, Kohl, Murray, Reid, and Feinstein. **Page 16087**

Congressional Award Act Authorization: Senate passed S. 335, to reauthorize the Congressional Award Act. **Page 16127**

Foreign Operations Appropriations—Agreement: A unanimous-consent agreement was reached providing for the consideration of H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, at 10 a.m. on Friday, July 15, 2005; provided further, that the committee amendment in the nature of a substitute be agreed to and considered as original text for the purpose of further amendment. **Page 16087**

Energy Policy Act—Agreement: A unanimous-consent agreement was reached providing that H.R. 6, to ensure jobs for our future with secure, affordable, and reliable energy, be printed, as passed. **Page 16127**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report requested in section 2106 of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Public Law 109–13) providing information on matters relating to the Palestinian Security Services and Palestinian Authority reform; which was referred to the Committee on Foreign Relations. (PM–17) **Page 16095**

Nominations Received: Senate received the following nominations:

Stewart A. Baker, of Virginia, to be an Assistant Secretary of Homeland Security.

Tracy A. Henke, of Missouri, to be Executive Director of the Office of State and Local Government Coordination and Preparedness, Department of Homeland Security.

1 Air Force nomination in the rank of general.

1 Marine Corps nomination in the rank of general.

Routine lists in the Foreign Service, Navy. **Page 16127**

Messages From the House: **Page 16096**

Measures Referred: **Page 16097**

Measures Placed on Calendar: **Pages 16097, 16127**

Executive Communications: **Page 16097**

Additional Cosponsors: **Page 16100**

Statements on Introduced Bills/Resolutions: **Page 16102**

Additional Statements: **Page 16094**

Amendments Submitted: **Page 16125**

Authority for Committees to Meet: **Page 16126**

Privilege of the Floor: **Page 16127**

Record Votes: Eleven record votes were taken today. (Total–189) **Pages 16047–50, 16062–64, 16076, 16087**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 8:21 p.m. until 9:30 a.m., on Friday, July 15, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 16127.)

Committee Meetings

CAPITOL VISITOR CENTER

Committee on Appropriations: Subcommittee on Legislative Branch held a hearing to examine the progress of the Capitol Visitor Center, receiving testimony from Alan M. Hantman, Architect of the Capitol; Bob Hixon, Capitol Visitor Center Project Manager; and Bernard L. Ungar, Director, and Terrell Dorn, Assistant Director, both of the Physical Infrastructure Issues, Government Accountability Office.

Hearing recessed subject to the call.

BUSINESS MEETING

Committee on Appropriations: Committee ordered favorably reported H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, with an amendment in the nature of a substitute.

MILITARY JUSTICE

Committee on Armed Services: Subcommittee on Personnel concluded a hearing to examine military justice and detention policy in the global war on terrorism, after receiving testimony from Senator Wyden; Daniel J. Dell'Orto, Principal Deputy General Counsel, Department of Defense; Major General Thomas J. Romig, JAGC, USA, Judge Advocate General, U.S. Army; Rear Admiral James E. McPherson, JAGC, USN, Judge Advocate General, and Rear Admiral James M. McGarrah, CEC, USN, Director, Office of the Administrative Review of Detention of Enemy Combatants, both of the U.S. Navy; Brigadier General Kevin M. Sandkuhler, USMC, Staff Judge Advocate to the Commandant of the Marine Corps; Major General Jack L. Rives, USAF, Deputy Judge Advocate General, and Brigadier General Thomas L. Hemingway, USAF, Legal Advisor to the Appointing Authority for the Office of Military Commissions, both of the U.S. Air Force; William P. Barr, Arlington, Virginia, former Attorney General of the United States; Stephen A. Saltzburg, George Washington University Law School, Washington, D.C.; and John D. Hutson, Franklin Pierce Law Center, Concord, New Hampshire.

TERRORISM RISK INSURANCE ACT OF 2002

Committee on Banking, Housing, and Urban Affairs: Committee held a hearing to examine the Department of the Treasury's report to Congress entitled: "Assessment: The Terrorism Risk Insurance Act of 2002", focusing on assessing the likely capacity of the property and casualty insurance industry to offer insurance for terrorism risk after the termination of the Terrorism Risk Insurance Program, receiving testimony from John W. Snow, Secretary of the Treasury; and Ben S. Bernanke, Chairman, Council of Economic Advisers.

Hearing recessed subject to the call.

NOMINATIONS

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the nominations of Mark A. Limbaugh, of Idaho, who was introduced by Senator Craig, and R. Thomas Weimer, of Colorado, who was introduced by Senator Allard, each to be an Assistant Secretary of the Interior, after the nominees testified and answered questions in their own behalf.

NATIONAL PARK SERVICE

Committee on Energy and Natural Resources: Subcommittee on National Parks concluded a hearing to examine the

National Park Service's business strategy for operation and management of the national park system, the National Parks Business Plan Initiative (BPI), including development and implementation of business plans, use of business consultants, and incorporating business practices into day-to-day operations, after receiving testimony from Bruce Sheaffer, Comptroller, National Park Service, Department of the Interior; Thomas C. Kiernan, National Parks Conservation Association, Washington, D.C.; Reginald Hagood, Student Conservation Association, Arlington, Virginia; and Geoffrey A. Baekey, PricewaterhouseCoopers, LLP, Boston, Massachusetts.

NOMINATIONS

Committee on Environment and Public Works: Committee concluded a hearing to examine the nominations of Marcus C. Peacock, of Minnesota, to be Deputy Administrator, Susan P. Bodine, of Maryland, to be Assistant Administrator, Office of Solid Waste, who was introduced by Representative Duncan, and Granta Y. Nakayama, of Virginia, to be Assistant Administrator, Office of Enforcement and Compliance Assurance, all of the Environmental Protection Agency, after the nominees testified and answered questions in their own behalf.

NOMINATION

Committee on Foreign Relations: Committee concluded a hearing to examine the nomination of Henry Crumpton, of Virginia, to be Coordinator for Counterterrorism, with the rank and status of Ambassador at Large, Department of State, after the nominee testified and answered questions in his own behalf.

CAPITAL REGION SECURITY

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia concluded a hearing to examine how prepared the National Capitol Region is for terrorism, focusing on how the National Capitol Region (NCR) is spending its homeland security grant funding, the organizational structures established to provide coordinated security, and if the NCR can be used as a model for security in other regions of the country, after receiving testimony from William O. Jenkins, Jr., Director, Homeland Security and Justice Issues, Government Accountability Office; Thomas J. Lockwood, Director, Office of National Capital Region Coordination, Department of Homeland Security; George W. Foresman, Assistant to the Governor of Virginia for Commonwealth Preparedness, Richmond; Dennis R. Schrader, Director, Governor's Office of Homeland Security in the State of Maryland, Annapolis; and Edward D. Reiskin, Deputy Mayor, Public Safety and Justice for the District of Columbia.

HOMELAND SECURITY

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the Department of Homeland Security, focusing on an evaluation of the Department's operations, policies and structures to ensure that form and function are aligned to maximize the ability to achieve the security outcomes associated with the overriding mission of protecting the homeland, after receiving testimony from Michael Chertoff, Secretary of Homeland Security.

TERRORISM

Committee on Health, Education, Labor, and Pensions: Committee met to discuss preparing an effective and immediate public health response in the aftermath of a terrorism attack, with Leah M. Devlin, North Carolina Department of Health and Human Services, Raleigh; Tara O'Toole, University of Pittsburgh Medical Center, Pittsburgh, Pennsylvania; Elin Gursky, Advancing National Strategies and Enabling Results (ANSER), Arlington, Virginia; John M. Clerici, McKenna Long and Aldridge, and Chuck Ludlam, both of Washington, D.C.; George Barrett, Teva North America, North Wales, Pennsylvania; David P. Wright, PharmAthene, Annapolis, Maryland; Clay Elward, Caterpillar, Inc., Peoria, Illinois; Bronwen A. Kaye, Wyeth, Madison, New Jersey; George W. Conk, Fordham Law School, New York, New York; David Franz, National Agricultural Biosecurity Center, Manhattan, Kansas; and John Pournoor, 3M Corporation, St. Paul, Minnesota.

INDIAN HEALTH CARE IMPROVEMENT ACT AMENDMENTS

Committee on Indian Affairs/Committee on Health, Education, Labor, and Pensions: Committees concluded a joint hearing to examine S. 1057, to amend the Indian Health Care Improvement Act to revise and extend that Act, after receiving testimony from Charles W. Grim, Director, Indian Health Service, Department of Health and Human Services; Rachel A. Joseph Lone-Pine Paiute Shoshone Reservation, Lone Pine, California, on behalf of the National Steering Committee for the Reauthorization of the Indian Health Care Improvement Act, National Indian Health Board, and the National Congress of American Indians; Don Kashevaroff, Seldovia Village Tribe, Seldovia, Alaska, on behalf of the Tribal Self-Governance Advisory Committee, and the Alaska Native Tribal Health Consortium; Richard Brannan, Northern Arapaho Tribe, Fort Washakie, Wyoming; Ralph Forquera, Seattle Indian Health Board, Seattle, Washington; Mary Williard, Yukon-Kuskokwim Health Corporation, Bethel, Alaska, on behalf of the Alaska Native Health Board; and Robert M. Brandjord, Minnesota, on behalf of the American Dental Association.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

BUSINESS MEETING

Committee on the Judiciary: Committee approved their rules of procedure for the 109th Congress.

Also, committee resumed markup of S.1088, to establish streamlined procedures for collateral review of mixed petitions, but did not complete action thereon, and recessed subject to the call.

NOMINATIONS

Committee on Veterans' Affairs: Committee concluded a hearing to examine the nominations of James Philip Terry, of Virginia, to be Chairman of the Board of Veterans' Appeals, Department of Veterans Affairs, who was introduced by Senator Allen, and Charles S. Ciccolella, of Virginia, to be Assistant Secretary of Labor for Veterans' Employment and Training, who was introduced by Senator Warner, after the nominees testified and answered questions in their own behalf.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 42 public bills, H.R. 3276–3317; and 5 resolutions, H.J. Res. 59–60; H. Con. Res. 209; and H. Res. 362–363 were introduced. **Page 16038**

Additional Cosponsors: **Page 16041**

Reports Filed: Reports were filed today as follows:

H.R. 1905, to amend the Small Tracts Act to facilitate the exchange of small tracts of land (H. Rept. 109–169, Pt. 1);

H.R. 1442, to complete the codification of title 46, United States Code, "Shipping", as positive law, amended (H. Rept. 109–170); and

H.R. 1461, to reform the regulation of certain housing-related Government-sponsored enterprises, and for other purposes, amended (H. Rept. 109–171, Pt. 1). **Page 16038**

Energy Policy Act of 2005—Motion to Instruct Conferees: The House rejected the Capps motion to instruct conferees on H.R. 6, to ensure jobs for our future with secure, affordable, and reliable energy, which was debated yesterday, July 13, by a yea-and-nay vote of 201 yeas to 217 nays, Roll No. 373. **Page 15929**

Later, the Chair appointed the following Members of the House to the conference committee on the bill: from the Committee on Energy and Commerce, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Messrs. Barton of Texas, Hall, Bilirakis, Upton, Stearns, Gillmor, Shimkus, Shadegg, Pickering, Blunt, Bass, Dingell, Waxman, Markey, Boucher, Stupak, Wynn, and Ms. Solis; Provided that Mrs. Capps is appointed in lieu of Mr. Wynn for consideration of secs. 1501–1506 of the House bill, and secs. 221 and 223–225 of the Senate amendment, and modifications committed to conference; **Page 15931**

From the Committee on Agriculture, for consideration of secs. 332, 344, 346, 1701, 1806, 2008, 2019, 2024, 2029, and 2030 of the House bill, and secs. 251–253, 264, 303, 319, 342, 343, 345, and 347 of the Senate amendment, and modifications committed to conference: Messrs. Goodlatte, Lucas, and Peterson of Minnesota; **Page 15931**

From the Committee on Armed Services, for consideration of secs. 104, 231, 601–607, 609–612, and 661 of the House bill, and secs. 104, 281, 601–607, 609, 610, 625, 741–743, 1005, and 1006 of the Senate amendment, and modifications committed to conference: Messrs. Hunter, Weldon of Pennsylvania, and Skelton; **Page 15931**

From the Committee on Education and the Workforce, for consideration of secs. 121, 632, 640, 2206, and 2209 of the House bill, and secs. 625, 1103, 1104, and 1106 of the Senate amendment, and modifications committed to conference: Messrs. Norwood, Sam Johnson of Texas, and Kind; **Page 15931**

From the Committee on Financial Services, for consideration of secs. 141–149 of the House bill, and secs. 161–164 and 505 of the Senate amendment, and modifications committed to conference: Messrs. Oxley, Ney, and Ms. Waters; **Page 15931**

From the Committee on Government Reform, for consideration of secs. 102, 104, 105, 203, 205, 502, 624, 632, 701, 704, 1002, 1227, and 2304 of the House bill, and secs. 102, 104, 105, 108, 203, 502, 625, 701–703, 723–725, 741–743, 939, and 1011 of the Senate amendment, and modifications committed to conference: Messrs. Tom Davis of Virginia, Issa, and Ms. Watson; **Page 15931**

From the Committee on the Judiciary, for consideration of secs. 320, 377, 612, 625, 632, 663, 665, 1221, 1265, 1270, 1283, 1442, 1502, and 2208 of the House bill, and secs. 137, 211, 328, 384, 389, 625, 1221, 1264, 1269, 1270, 1275, 1280, and 1402 of the Senate amendment, and modifications committed to conference: Messrs. Sensenbrenner, Chabot, and Conyers; **Page 15932**

From the Committee on Resources, for consideration of secs. 204, 231, 330, 344, 346, 355, 358, 377, 379, Title V, secs. 969–976, 1701, 1702, Title XVIII, secs. 1902, 2001–2019, 2022–2031, 2033, 2041, 2042, 2051–2055, Title XXI, Title XXII, and Title XXIV of the House bill, and secs. 241–245, 252, 253, 261–270, 281, 311–317, 319–323, 326, 327, 342–346, 348, 371, 387, 391, 411–414, 416, and 501–506 of the Senate amendment, and modifications committed to conference: Mr. Pombo, Mrs. Cubin, and Mr. Rahall; **Page 15932**

From the Committee on Rules, for consideration of sec. 713 of the Senate amendment, and modifications committed to conference: Messrs. Dreier, Lincoln Diaz-Balart of Florida, and Ms. Slaughter; **Page 15932**

From the Committee on Science, for consideration of secs. 108, 126, 205, 209, 302, 401–404, 411, 416, 441, 601–607, 609–612, 631, 651, 652, 661, 711, 712, 721–724, 731, 741–744, 751, 754, 757, 759, 801–811, Title IX, secs. 1002, 1225–1227, 1451, 1452, 1701, 1820, and Title XXIV of the House bill, and secs. 125, 126, 142, 212, 230–232, 251–253, 302, 318, 327, 346, 401–407, 415, 503, 601–607, 609, 610, 624, 631–635, 706, 721, 722, 725, 731, 734, 751, 752, 757, 801, Title IX, Title X, secs. 1102, 1103, 1105, 1106, 1224, Title XIV, secs. 1601, 1602, and 1611 of the Senate amendment, and modifications committed to conference: Mr. Boehlert, Mrs. Biggert, and Mr. Gordon; Provided that Mr. Costello is appointed in lieu of Mr. Gordon for consideration of secs. 401–404, 411, 416, and 441 of the House bill, and secs. 401–407 and 415 of the Senate amendment, and modifications committed to conference; **Page 15932**

From the Committee on Transportation and Infrastructure, for consideration of secs. 101–103, 105, 108, 109, 137, 205, 208, 231, 241, 242, 320, 328–330, 377, 379, 721–724, 741–744, 751, 755, 756, 758, 811, 1211, 1221, 1231, 1234, 1236, 1241, 1281–1283, 1285, 1295, 1442, 1446, 2008, 2010, 2026, 2029, 2030, 2207, and 2210 of the House bill, and secs. 101–103, 105, 107, 108, 281, 325, 344, 345, 383, 731–733, 752, 1211, 1221, 1231, 1233, 1235, 1261, 1263, 1266, and 1291 of the Senate amendment, and modifications committed to conference: Messrs. Young of Alaska, Petri, and Oberstar; and **Page 15932**

From the Committee on Ways and Means, for consideration of Title XIII of the House bill, and secs. 135, 405, Title XV, and sec. 1611 of the Senate amendment, and modifications committed to conference: Messrs. Thomas, Camp, and Rangel. **Page 15932**

Suspensions: The House agreed to suspend the rules and pass the following measures which were debated on Wednesday, July 13:

Condemning the terrorist attacks in London, England on July 7, 2005: H. Res. 356, condemning in the strongest terms the terrorist attacks in London, England, on July 7, 2005, by a ⅔ yea-and-nay vote of 416 yeas with none voting "nay", Roll No. 375; and **Page 15930**

Commemorating the 60th anniversary of the conclusion of the war in the Pacific and honoring the veterans of WWII: H. Con. Res. 191, amended, commemorating the 60th anniversary of the conclusion of the war in the Pacific and honoring veterans of both the Pacific and Atlantic theaters of the Second World War, by a ⅔ yea-and-nay vote of 399 yeas with none voting "nay", Roll No. 379. **Page 16006**

Agreed to amend the title so as to read: commemorating the 60th anniversary of the conclusion of the War in the Pacific and honoring veterans of both the Pacific and Atlantic theaters of the Second World War. **Page 16006**

Suspensions—Failed: The House failed to agree to suspend the rules and pass the following measure, which was debated on Wednesday, July 13:

East Asia Security Act of 2005: H.R. 3100, to authorize measures to deter arms transfers by foreign countries to the People's Republic of China, by a ⅔ yea-and-nay vote of 215 yeas to 203 nays, Roll No. 374. **Page 15930**

Moment of Silence: The House observed a moment of silence in memory of the victims of the London bombings and in support of the British people. **Page 15930**

Water Resources Development Act of 2005: The House passed H.R. 2864, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, by a yea-and-nay vote of 406 yeas to 14 nays, Roll No. 378. **Page 15932**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill was considered as an original bill for the purpose of amendment. **Page 16005**

Agreed to:

Duncan amendment (no. 1 printed in H. Rept. 109–160) that makes a number of technical and conforming changes to project-related provisions, and authorizes or modifies additional projects brought to the Committee's attention; **Page 15987**

Menendez amendment (no. 2. printed in H. Rept. 109–160) that provides an authorization for the environmental restoration project in Liberty State Park, New Jersey, contingent on a favorable Chief's report being issued prior to December 31, 2005; **Page 15994**

Stupak amendment (no. 3 printed in H. Rept. 109–160) that directs the Secretary of the Army Corps to budget and request appropriations for operation and maintenance of harbor dredging projects based only upon criteria used for such projects in FY04; and **Page 15995**

Kind amendment (no. 7 printed in H. Rept. 109–160) that adds a new provision requiring the Secretary to make an annual report to Congress on whether lock and dam construction and ecosystem restoration projects are being carried out at comparable rates. **Page 16002**

Rejected:

Rohrabacher amendment (no. 4 printed in H. Rept. 109–160) that sought to allow U.S. ports to levy a container or tonnage fee on imports (by a recorded vote of 111 ayes to 310 noes, Roll No. 376); and **Pages 15997, 16003**

Flake amendment (no. 6 printed in H. Rept. 109–160) that sought to amend the Mississippi River-Illinois Water Way Project to allow construction of locks and dams if certain requirements are met (by a recorded vote of 105 ayes to 315 noes, Roll No. 377). **Pages 15998, 16004**

H. Res. 346, the rule providing for consideration of the bill was agreed to yesterday, July 13.

Privileged Senate Message: The House received a privileged message from the Senate requesting that the House return to the Senate the papers accompanying H.R. 2985, Legislative Branch Appropriations Act for FY 2006. **Page 15932**

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at 12:30 p.m. on Monday, July 18 for morning hour debate, and when the House adjourns on Monday, it adjourn to meet at 9 a.m. on Tuesday July 19. **Page 16008**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, July 20. **Page 16008**

Celebrating Walt Disney's contributions to our nation: The House agreed by unanimous consent to H. Res. 355, celebrating Walt Disney's contributions to our nation. **Page 16008**

Agreed to the Tom Davis of Virginia amendment to the preamble. **Page 16009**

Presidential Message: Read a message from the President wherein he submitted a report providing information on matters relating to the Palestinian Security Service and Palestinian Authority reform—referred to the Committee on International Relations and ordered printed (H. Doc. 109–44). **Page 16036**

Senate Message: Message received from the Senate today appears on pages 15925 and 15932.

Senate Referrals: S. 1395 was held at the desk. **Page 15925**

Quorum Calls—Votes: Four yea-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages 15929–31 and 16003–06. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 7:14 p.m.

Committee Meetings

OVERSIGHT—BUREAU OF LAND MANAGEMENT/FOREST SERVICE NATIONAL FIRE PLAN

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held an oversight hearing on Bureau of Land Management/Forest Service National Fire Plan. Testimony was heard from the following officials of the USDA: Mary Rey, Under Secretary, Natural Resources and Environment; and Dale Bosworth, Chief, Forest Service; Robert A. Robinson, Managing Director, Natural Resources and Environment, GAO; Lynn Scarlett, Assistant Secretary, Policy, Management and Budget, Department of the Interior; and Bruce D. McDowell, Fellow National Academy of Public Administration.

MID-SESSION REVIEW BUDGET FISCAL YEAR 2005

Committee on the Budget: Held a hearing on Mid-Session Review Budget of the United States Government Fiscal Year 2006. Testimony was heard from Joshua B. Bolten, Director, OMB.

COLLEGE ACCESS AND OPPORTUNITY ACT OF 2005

Committee on Education and the Workforce: Subcommittee on 21st Century Competitiveness approved for full Committee action, as amended, H.R. 609, College Access and Opportunity Act of 2005.

STATE HIGH RISK POOL FUNDING EXTENSION ACT; PATIENT SAFETY AND QUALITY IMPROVEMENT ACT

Committee on Energy and Commerce: Subcommittee on Health approved for full Committee action the following bills: H.R. 3204, State High Risk Pool Funding Extension Act of 2005; and H.R. 3205, Patient Safety and Quality Improvement Act.

PROJECT BIOSHIELD—ONE YEAR LATER

Committee on Government Reform: Held a hearing entitled "One Year Later: Evaluating the Effectiveness of Project BioShield." Testimony was heard from the following officials of the Department of Health and Human Services: Stewart Simonson, Assistant Secretary, Public Health Emergency Preparedness; and Anthony S. Fauci, M.D., Director, National Institute of Allergy and Infectious Diseases, NIH; John Vitko, Jr., Director, Homeland Security Science and Technology Advisory Committee, Department of Homeland Security; and public witnesses.

HOMELAND SECURITY DEPARTMENT REVIEW

Committee on Homeland Security: Held a hearing entitled "The Secretary's Second-Stage Review: Re-thinking the Department of Homeland Security's Organization and Policy Direction." Testimony was heard from Michael Chertoff, Secretary of Homeland Security.

NORTH KOREAN NUCLEAR NEGOTIATIONS

Committee on International Relations: Subcommittee on Asia and the Pacific held a hearing entitled "North Korean Nuclear Negotiations: Strategies and Prospects for Success." Testimony was heard from public witnesses.

FEDERAL PRISON INDUSTRIES COMPETITION IN CONTRACTING ACT OF 2005

Committee on the Judiciary: Began markup of H.R. 2965, Federal Prison Industries Competition in Contracting Act of 2005.

NEW YORK TRIBAL LAND CLAIMS

Committee on Resources: Held a hearing entitled "Status of Settling Recognized Tribes' Land Claims in the State of New York." Testimony was heard from Michael Olsen, Acting Principal Deputy Assistant Secretary, Indian Affairs, Department of the Interior; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Forests and Forest Health held a hearing on the following bills: H.R. 233, Northern California Coastal Wild Heritage Wilderness Act; H.R. 1129, Pitkin County Land Exchange Act of 2005; H.R. 2720, Salt Cedar and Russian Olive Control Demonstration Act; and H.R. 2875, Public Lands Corps Healthy Forests Restoration Act of 2005. Testimony was heard from the following officials of the Department of the Interior: Chad Calvert, Deputy Assistant Secretary, Lands and Minerals Management; and Jim Tate, Science Advisor to the Secretary; Joel Holtrop, Deputy Chief, National Forest System, Forest Service, USDA; Sam Aanestad, Senator, State of California; and public witnesses.

NASA AUTHORIZATION ACT OF 2005

Committee on Science: Ordered reported, as amended, H.R. 3070, National Aeronautics and Space Administration Authorization Act of 2005.

MISCELLANEOUS MEASURES

Committee on Small Business: Ordered reported, as amended, the following bills: H.R. 230, National Small Business Regulatory Assistance Act of 2005; H.R. 527, Vocational and Technical Entrepreneurship Development Act of 2005; H.R. 2981, To amend the Small Business Act to expand and improve the assistance provided by Small Business Development Centers to Indian tribe members, Native Alaskans, and Native Hawaiians; and H.R. 3207, Second-Stage Small Business Development Act of 2005.

OVERSIGHT—CELL USE ON AIRCRAFT

Committee on Transportation and Infrastructure: Subcommittee on Aviation held an oversight hearing on Cell Phones on Aircraft: Nuisance or Necessity? Testimony was heard from Nicholas Sabatini, Associate Administrator, Aviation Safety, FAA, Department of Transportation; Julius Knapp, Deputy Chief, Office of Engineering and Technology, FCC; Laura Parsky, Deputy Assistant Attorney General, Criminal Division, Department of Justice; and a public witness.

DISASTER RELIEF EQUITY ACT; RURAL DISASTER ASSISTANCE FAIRNESS ACT

Committee on Transportation and Infrastructure: Subcommittee on Economic Development, Public Buildings and Emergency Management approved for full Committee the following bills: H.R. 3208, Disaster Relief Equity Act of 2005; and H.R. 2338, amended, Rural Disaster Assistance Fairness Act of 2005.

VETERANS' MEASURES

Committee on Veterans' Affairs: Ordered reported the following measures: H.R. 3200, Servicemembers' Group Life Insurance Enhancement Act of 2005; and H. Res. 361, Recognizing the 75th anniversary of the establishment of the Veterans Administration on July 21, 1930.

WELFARE AND WORK DATA

Committee on Ways and Means: Subcommittee on Human Resources held a hearing on Welfare and Work Data. Testimony was heard from Wade F. Horn, Assistant Secretary, Children and Families, Department of Health and Human Services.

BRIEFING—GLOBAL UPDATES

Permanent Select Committee on Intelligence: Met in executive session to receive a Briefing on Global Updates. Testimony was heard from departmental witnesses.

Joint Meetings

ENERGY POLICY ACT

Conferees met to resolve the differences between the Senate and House passed versions of H.R. 6, to ensure jobs for our future with secure, affordable, and reliable energy, but did not complete action thereon, and will meet again on Tuesday, July 19, 2005.

◆◆◆◆◆◆◆◆◆◆◆◆

Friday, July 15, 2005

Senate

Chamber Action

Routine Proceedings, pages 16135–98

Measures Introduced: Four bills were introduced, as follows: S. 1411–1414. **Page 16198**

Measures Passed:

Colin L. Powell Residential Plaza: Senate passed S. 1413, to redesignate the Crowne Plaza in Kingston, Jamaica as the Colin L. Powell Residential Plaza. **Page 16198**

Foreign Operations Appropriations: Senate began consideration of H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, agreeing to the committee amendment in the nature of a substitute which will be considered as original text for the purpose of further amendment. **Page 16137**

A unanimous-consent agreement was reached providing for further consideration of the bill at 2:30 p.m., on Monday, July 18, 2005. **Page 16198**

Nominations Confirmed: Senate confirmed the following nominations:

3 Air Force nominations in the rank of general.

3 Army nominations in the rank of general.

1 Marine Corps nomination in the rank of general.

3 Navy nominations in the rank of admiral. **Page 16198**

Additional Cosponsors: **Page 16190**

Statements on Introduced Bills/Resolutions: **Page 16190**

Amendments Submitted: **Page 16193**

Notices of Hearings/Meetings: **Page 16197**

Authority for Committees to Meet: **Page 16197**

Privilege of the Floor: **Page 16197**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 1:36 p.m. until 2:30 p.m., on Monday, July 18, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 16198.)

Committee Meetings

WORLD TRADE ORGANIZATION

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, and International Security concluded an oversight hearing to examine the United States' relationship with the World Trade Organization, focusing on the role of the World Trade Organization and its impact on national sovereignty and economic security, after receiving testimony from James E. Mendenhall, Acting General Counsel, Office of the United States Trade Representative; and Claude E. Barfield, American Enterprise Institute, Robert K. Stumberg, Georgetown University Law Center, and J. Robert Vastine, Coalition of Service Industries, all of Washington, D.C.

House of Representatives

Chamber Action

The House was not in session today. The House will meet at 12:30 p.m. on Monday, July 18 for morning hour debate, and 2 p.m. for legislative business.

Committee Meetings

No committee meetings were held.

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Monday, July 18, 2005

Senate

Chamber Action

Routine Proceedings, pages 16214–61

Measures Introduced: Six bills and three resolutions were introduced, as follows: S. 1415–1420, and S. Res. 198–200. **Page 16240**

Measures Reported:

S. 501, to provide a site for the National Women's History Museum in the District of Columbia. (S. Rept. No. 109–104) **Page 16240**

Measures Passed:

United Airlines Flight 93 Memorial: Committee on Rules and Administration was discharged from further consideration of S. Con. Res. 26, honoring and memorializing the passengers and crew of United Airlines Flight 93, and the resolution was then agreed to, after agreeing to the following amendment proposed thereto: **Page 16215**

Frist (for Conrad) Amendment No. 1228, to make a technical correction. **Page 16215**

Records Production: Senate agreed to S. Res. 199, to authorize the production of records by the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs. **Page 16259**

Honoring Jack St. Clair Kilby: Senate agreed to S. Res. 200, honoring the life of Nobel Laureate Jack St. Clair Kilby, inventor of the integrated circuit and innovative leader in the Information Age. **Page 16259**

Foreign Operations Appropriations: Senate resumed consideration of H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, taking action on the following amendments proposed thereto: **Pages 16214, 16216, 16229**

Adopted:

McConnell (for Martinez) Amendment No. 1229, to extend the United States Advisory Commission on Public Diplomacy until October 1, 2006. **Page 16216**

McConnell (for Leahy) Amendment No. 1230, of a technical nature relating to Iraq. **Page 16216**

McConnell Amendment No. 1231, to provide an exception for activities of the Overseas Private Investment Corporation in Libya. **Page 16216**

McConnell (for Leahy) Amendment No. 1232, of a technical nature relating to foreign nongovernmental organizations. **Page 16216**

McConnell (for Leahy) Amendment No. 1233, of a technical nature relating to a reporting requirement. **Page 16216**

McConnell (for Leahy) Amendment No. 1234, of a clarifying nature relating to assistance for Pakistan. **Page 16216**

McConnell (for Leahy) Amendment No. 1235, to provide certain assistance to the North Caucasus. **Page 16216**

Harkin Modified Amendment No. 1239, to express the sense of the Senate regarding abusive child labor practices in the growing and processing of cocoa. **Pages 16216, 16222**

McConnell (for Lieberman) Amendment No. 1248, to encourage assistance for programs to address protracted refugee situations. **Page 16222**

McConnell (for Leahy) Amendment No. 1249, of a technical nature relating to Nepal. **Page 16222**

Pending:

Landrieu Amendment No. 1245, to express the sense of Congress regarding the use of funds for orphans, and displaced and abandoned children. **Page 16221**

Grassley Amendment No. 1250, to prohibit the use of funds to approve or administer a loan or guarantee for certain ethanol dehydration plants. **Page 16229**

During consideration of this measure today, the following action also occurred:

Senator Dorgan submitted a notice to suspend paragraph 4 of Rule XVI of the Standing Rules of the Senate for the purpose of proposing Amendment No. 1256 to the bill. **Page 16238**

Department of Homeland Security—Agreements: A unanimous-consent agreement was reached providing that notwithstanding the July 14, 2005 passage of H.R. 2360, making appropriations for the Department of Homeland Security for the fiscal year ending, September 30, 2006, Reid (for Byrd/Stabenow) Amendment No. 1224, to make certain funding revisions with respect to firefighter assistance grants, preparedness and recovery, interoperable communications grants, disaster relief, and the counterterrorism fund, which was previously agreed to on July 14, 2005, be modified. **Page 16234**

A unanimous-consent request was granted permitting Senator Shelby to change his yea vote to a nay vote on Vote No. 187 changing the outcome of the vote to 32 yeas to 65 nays relative to Frist Amendment No. 1223 rejected on July 14, 2005. **Page 16234**

Burma Import Restrictions—Agreement: A unanimous-consent agreement was reached providing that the Senate at 11 a.m., on Tuesday, July 19, 2005, begin consideration of S.J. Res. 18, approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003; that the joint resolution be read a third time and returned to the Senate calendar; that the Senate then begin consideration of H.J. Res. 52 (House companion measure); that there be 80 minutes for debate; and that following the use, or yielding back of time, Senate vote on final passage of the joint resolution. **Page 16258**

Escort Committee—Agreement: A unanimous-consent agreement was reached providing that the President of the Senate be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort His Excellency, Dr. Manmohan Singh, Prime Minister of India, into the House Chamber for the joint meeting on Tuesday, July 19, 2005. **Page 16258**

Nominations Confirmed: Senate confirmed the following nomination:

By 78 yeas 16 nays (Vote No. EX. 190), Lester M. Crawford, of Maryland, to be Commissioner of Food and Drugs, Department of Health and Human Services. **Pages 16224, 16261**

Nominations Received: Senate received the following nominations:

H. Dale Hall, of New Mexico, to be Director of the United States Fish and Wildlife Service.

Vincent J. Ventimiglia, Jr., of Maryland, to be an Assistant Secretary of Health and Human Services.

Bruce Cole, of Indiana, to be Chairperson of the National Endowment for the Humanities for a term of four years.

1 Army nomination in the rank of general.

1 Navy nomination in the rank of admiral. **Page 16261**

Messages From the House: **Page 16239**

Measures Placed on Calendar: **Page 16239**

Executive Communications: **Page 16239**

Additional Cosponsors: **Page 16241**

Statements on Introduced Bills/Resolutions: **Page 16242**

Amendments Submitted: **Page 16250**

Notices of Hearings/Meetings: **Page 16258**

Authority for Committees to Meet: **Page 16258**

Privilege of the Floor: **Page 16258**

Record Votes: One record vote was taken today. (Total—190) **Page 16229**

Adjournment: Senate convened at 2:30 p.m., and adjourned at 7:20 p.m. until 11 a.m., on Tuesday, July 19, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 16260.)

Committee Meetings

ENGINE COOLANT AND ANTIFREEZE BITTERING AGENT ACT

Committee on Commerce, Science, and Transportation: Subcommittee on Consumer Affairs, Product Safety, and Insurance concluded a hearing to examine S. 1110, to amend the Federal Hazardous Substances Act to require engine coolant and antifreeze to contain a bittering agent in order to render the coolant or antifreeze unpalatable, after receiving testimony from Jacqueline Elder, Assistant Executive Director, Hazard and Reduction, Consumer Product Safety Commission; New Mexico State Representative Kathy A. McCoy, Cedar Crest; Jeffrey Bye, Prestone, Honeywell International, Inc., Danbury, Connecticut; and Sara Amundson, Doris Day Animal League, Washington, D.C.

IRAQ

Committee on Foreign Relations: Committee concluded a hearing to examine certain efforts to secure Iraq, focusing on the current counterinsurgency strategy in Iraq, protecting Iraq's borders and preventing foreign infiltration, the training schedule of Iraqi forces and supporting more training in other countries, and the force structure of the United States' presence in Iraq, after receiving testimony from Kenneth M. Pollack, The Brookings Institution Saban Center for Middle East Policy, and Anthony H. Cordesman, Center for Strategic and International Studies, both of Washington, D.C.; and General Barry R. McCaffrey, USA (Ret.), BR McCaffrey Associates, LLC, Arlington, Virginia.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nomination of Gillian Arlette Milovanovic, of Pennsylvania, to be Ambassador to the Republic of Macedonia, and James Cain, of North Carolina, to be Ambassador to Denmark, who was introduced by Senator Burr, after the nominees testified and answered questions in their own behalf.

NOMINATIONS

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nominations of Richard L. Skinner, of Virginia, to be Inspector General, Department of Homeland Security, who was introduced by Senator Warner, and Brian David Miller, of Virginia, to be Inspector General, General Services Administration, who was introduced by Senators Warner and Allen, after the nominees testified and answered questions in their own behalf.

NOMINATION

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nomination of Edmund S. Hawley, of California, to be an Assistant Secretary of Homeland Security, after the nominee testified and answered questions in his own behalf.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 10 public bills, H.R. 3318–3327; 1 private bill, H.R. 3328; and 2 resolutions, H. Con. Res. 210 and H. Res. 364, were introduced. **Page 16312**

Additional Cosponsors: **Page 16313**

Reports Filed: Reports were filed today as follows:

The National Drug Control Strategy for 2005 and the National Drug Control Budget for Fiscal Year 2006 (H. Rept. 109–172);

H.R. 3070, To authorize the human space flight, aeronautics, and science programs of the National Aeronautics and Space Administration, and for other purposes (H. Rept. 109–173);

H.R. 3199, as amended. To extend and modify authorities needed to combat terrorism, and for other purposes. (H. Rept. 109–174, Parts I and II);

H. Res. 365, Providing for consideration of the bill (H.R. 2601) to authorize appropriations for the Department of State for the fiscal years 2006 and 2007, and for other purposes (Rept. 109–175). **Page 16312**

Speaker: Read a letter from the Speaker wherein he appointed Representative Price of Georgia to act as Speaker pro tempore for today. **Page 16262**

Recess: The House recessed at 12:37 p.m. and reconvened at 2 p.m. **Page 16262**

Recess: The House recessed at 2:10 p.m. and reconvened at 3 p.m. **Page 16264**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Recognizing the 75th anniversary of the establishment of the Veterans Administration: H. Res. 361, recognizing the 75th anniversary of the establishment of the Veterans Administration on July 21, 1930; **Page 16264**

Recognizing the 25th anniversary of the workers' strikes in Poland in 1980: H. Res. 328, amended, recognizing the 25th anniversary of the workers' strikes in Poland in 1980 that led to the establishment of the Solidarity Trade Union, by a ⅔ yea-and-nay vote of 385 yeas with none voting "nay", Roll No. 380; **Pages 16270, 16280**

Acknowledging African descendants of the transatlantic slave trade in all of the Americas: H. Con. Res. 175, amended, acknowledging African descendants of the transatlantic slave trade in all of the Americas with an emphasis on descendants in Latin America and the Caribbean, recognizing the injustices suffered by these African descendants, and recommending that the United States and the international community work to improve the situation of Afro-descendant communities in Latin America and the Caribbean, by a 2/3 yea-and-nay vote of 382 yeas to 6 nays and 2 voting "present", Roll No. 381; and **Pages 16273, 16280**

Commending the continuing improvement in relations between the United States and the Republic of India: H. Res. 364, commending the continuing improvement in relations between the United States and the Republic of India, by a 2/3 yea-and-nay vote of 388 yeas with none voting "nay", Roll No. 382. **Pages 16277, 16281**

Recess: The House recessed at 4:25 p.m. and reconvened at 6:32 p.m. **Page 16280**

Suspension—Proceedings Postponed: The House completed debate on the following measure under suspension of the rules. Further consideration will continue tomorrow, July 19th:

Calling for free and fair parliamentary elections in the Republic of Azerbaijan: H. Res 326, amended, calling for free and fair parliamentary elections in the Republic of Azerbaijan. **Page 16268**

Quorum Calls—Votes: 3 yea-and-nay votes developed during the proceedings of today and appear on pages 16280–82. There were no quorum calls.

Adjournment: The House met at 12:30 p.m., and adjourned at 11:30 p.m.

Committee Meetings

FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 2006 AND 2007

Committee on Rules: Granted, by voice vote, a structured rule providing one hour of general debate on H.R. 2601, to authorize appropriations for the Department of State for fiscal years 2006 and 2007, and of other purposes, equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations. The rule waives all points of order against consideration of the bill. The rule provide that the amendment in the nature of a substitute recommended by the Committee on International Relations now printed in the bill modified by the amendment printed in Part A of the Rules Committee report shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the amendment in the nature of a substitute recommended by the Committee on International Relations. Notwithstanding clause 11 of rule XVIII, no amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of the report of the Committee on Rules.

The rule provides that amendments shall be considered only in the order specified in the report, may be offered only by a Member designated in the report, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment except as specified in the report, shall be considered as read, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule waives all points of order against amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Hyde, Smith of New Jersey, Burton, Mack, Foley, Kennedy of Minnesota, Lantos, Markey, Spratt and McGovern.

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Tuesday, July 19, 2005

Senate

Chamber Action

Routine Proceedings, pages 16326–90

Measures Introduced: Six bills and two resolutions were introduced, as follows: S. 1421–1426, and S. Res. 201–202. **Page 16376**

Measures Passed:

Burma Import Restrictions: By 97 yeas to 1 nay (Vote No. 191), Senate passed H.J. Res. 52, approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, clearing the measure for the President. **Page 16327**

Prior to this action, Senate began consideration of S.J. Res. 18, (Senate companion measure), and pursuant to the order of July 18, 2005, the joint resolution was read for a third time and returned to the Senate calendar. **Page 16327**

Highway Extension: Senate passed H.R. 3332, to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century, clearing the measure for the President. **Page 16388**

Sudan Peace Agreement: Senate agreed to S. Res. 202, urging the Government of Sudan and the Sudan People's Liberation Movement/Army to fully implement the Comprehensive Peace Agreement of January 9, 2005. **Page 16388**

National Health Center Week: Committee on the Judiciary was discharged from further consideration of S. Res. 31, expressing the sense of the Senate that the week of August 7, 2005, be designated as "National Health Center Week" in order to raise awareness of health services provided by community, migrant, public housing, and homeless health centers, and the resolution was then agreed to, after agreeing to the following amendment proposed thereto: **Page 16389**

Frist (for Coleman) Amendment No. 1302, to provide for the observance of the week with appropriate ceremonies and activities. **Page 16389**

Controlled Substances Act Amendment: Committee on the Judiciary was discharged from further consideration of S. 45, to amend the Controlled Substances Act to lift the patient limitation on prescribing drug addiction treatments by medical practitioners in group practices, and the bill was then passed. **Page 16390**

Foreign Operations Appropriations: Senate continued consideration of H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, taking action on the following amendments proposed thereto: **Page 16334**

Adopted:

McConnell (for Brownback/Kennedy) Amendment No. 1276, to extend eligibility for refugee status of unmarried sons and daughters of certain Vietnamese refugees. **Page 16339**

McConnell (for Leahy) Amendment No. 1277, to provide a United States contribution to the Extractive Industries Transparency Initiative Trust Fund. **Page 16339**

McConnell (for Brownback) Amendment No. 1278, to provide that certain funds should be used for educational programs in Egypt. **Page 16340**

McConnell (for Obama/Hagel) Amendment No. 1264, to support a United States contribution to the Special Court for Sierra Leone. **Pages 16336, 16340**

McConnell (for Allen/Leahy) Modified Amendment No. 1238, to combat piracy of United States copyrighted materials. **Page 16340**

McConnell (for Feingold) Modified Amendment No. 1253, to require an annual report on anti-retroviral drug procurement. **Page 16340**

McConnell (for Salazar) Modified Amendment No. 1262, to provide that funds should be made available for law enforcement programs to combat the prevalence of violent gangs in Guatemala, Honduras, and El Salvador. **Page 16340**

McConnell (for Brownback) Amendment No. 1283, to express the sense of the Senate regarding the forced repatriation of refugees in Cambodia. **Page 16341**

By 59 yeas to 40 nays (Vote No. 193), Coburn Amendment No. 1241, to prohibit funds from being made available to the United States Agency for International Development for entertainment expenses. **Pages 16343, 16356**

Santorum/Durbin Amendment No. 1260, to transfer $100,000,000 from the Economic Support Fund to provide for an additional contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria. **Page 16358**

Corzine Amendment No. 1290, to make funds available for the African Union Mission in Sudan. **Pages 16344, 16359**

McConnell (for Feingold) Modified Amendment No. 1254, to support democracy and governance activities in Zimbabwe. **Page 16360**

McConnell (for Nelson (FL)/Coleman) Modified Amendment No. 1285, to provide that funds be used for democracy programs in Venezuela. **Page 16360**

McConnell (for Sessions) Modified Amendment No. 1274, to prohibit the use of funds for any loan to the United Nations in excess of $600,000,000 for the renovation of its headquarters in New York, New York. **Page 16360**

McConnell (for Grassley) Modified Amendment No. 1273, to prohibit the use of funds to approve or administer a loan, guarantee, or insurance policy for certain ethanol dehydration plants. **Pages 16340, 16360**

McConnell (for Vitter) Modified Amendment No. 1287, to limit funds relating to attendance of Federal employees at conferences occurring outside the United States, unless the Secretary of State determines that such attendance is in the national interest. **Page 16360**

McConnell (for Leahy) Amendment No. 1295, of a technical nature relating to Indonesia. **Page 16361**

McConnell (for Brownback) Amendment No. 1296, to support commodities, equipment and other assistance to combat malaria. **Page 16361**

McConnell (for Feinstein) Amendment No. 1297, to require a report on states that have not cooperated in small arms programs. **Page 16361**

McConnell (for Sununu/Chafee) Amendment No. 1298, to increase by $5,000,000 the amount available for Economic Support Fund assistance for Lebanon, and to increase by $2,000,000 the amount of such assistance that should be made available for scholarships and direct support of American educational institutions in Lebanon. **Page 16361**

McConnell (for Kennedy/Biden) Amendment No. 1299, to make available, out of funds appropriated for Economic Support Fund assistance, $28,000,000 to the International Republican Institute and $28,000,000 to the National Democratic Institute for fiscal year 2006 to support democracy building programs in Iraq. **Page 16361**

McConnell (for Stevens/Inouye) Amendment No. 1300, to provide funding to the Center for Middle Eastern-Western Dialogue. **Page 16361**

Rejected:

By 37 yeas to 62 nays (Vote No. 192), Coburn/Boxer Amendment No. 1242, to prohibit any funds from being used by the Export-Import Bank of the United States to approve a loan or a loan guarantee related to a nuclear project in China. **Pages 16345, 16355**

By 33 yeas to 66 nays (Vote No. 194), Dorgan/Wyden Amendment No. 1294, to provide that no funds may be made available to provide television broadcasting to Cuba, to increase by $21,100,000 the amount appropriated to the Peace Corps, and to reduce by the same amount the amount appropriated under title I to the Broadcasting Board of Governors for broadcasting to Cuba. **Pages 16352, 16357**

Withdrawn:

Grassley Amendment No. 1250, to prohibit the use of funds to approve or administer a loan or guarantee for certain ethanol dehydration plants. **Pages 16344, 16359**

Pending:

Landrieu Amendment No. 1245, to express the sense of Congress regarding the use of funds for orphans, and displaced and abandoned children. **Page 16344**

Chambliss Amendment No. 1271, to prevent funds from being made available to provide assistance to a country which has refused to extradite certain individuals to the United States. **Page 16341**

A unanimous-consent agreement was reached providing that only certain remaining first-degree amendments be in order to the bill; that the first-degree amendments be subject to second-degree amendments which are related to the first-degree amendments to which they are offered; that following the disposition of the amendments, the bill be read a third time, and the Senate then vote on final passage of the bill, as amended; provided further, that the Senate insist on its amendment, request a conference with the House thereon, and the Chair be authorized to appoint conferees on the part of the Senate. **Page 16362**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m. on Wednesday, July 20, 2005. **Page 16390**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that during this adjournment of the Senate, the Majority Leader and Majority Whip, be authorized to sign duly enrolled bills or joint resolutions. **Page 16388**

Dorr Nomination—Cloture: Senate began consideration of the nomination of Thomas C. Dorr, of Iowa, to be Under Secretary of Agriculture for Rural Development. **Page 16387**

A motion was entered to close further debate on the nomination and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, July 21, 2005. **Page 16387**

Messages From the President: Senate received the following messages from the President of the United States:

Transmitting, pursuant to law, a report on the continuation of the national emergency blocking property of certain persons and prohibiting the importation of certain goods from Liberia that was established in Executive Order 13348 on July 22, 2004; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–18) **Page 16375**

Transmitting, pursuant to law, the District of Columbia's Fiscal Year 2006 Budget Request Act; which was referred to the Committee on Homeland Security and Governmental Affairs. (PM–19) **Page 16376**

Nominations Received: Senate received the following nominations:

3 Army nominations in the rank of general.

A routine list in the Air Force. **Page 16390**

Messages From the House: **Page 16376**

Executive Communications: **Page 16376**

Additional Cosponsors: **Page 16376**

Statements on Introduced Bills/Resolutions: **Page 16378**

Additional Statements: **Page 16374**

Amendments Submitted: **Page 16380**

Authority for Committees to Meet: **Page 16387**

Privilege of the Floor: **Page 16387**

Record Votes: Four record votes were taken today. (Total–194) **Pages 16333, 16356–57**

Adjournment: Senate convened at 11 a.m., and adjourned at 8:56 p.m. until 9:30 a.m., on Wednesday, July 20, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 16390.)

Committee Meetings

APPROPRIATIONS: MILITARY CONSTRUCTION/VA

Committee on Appropriations: Subcommittee on Military Construction and Veterans' Affairs and Related Agencies approved for full Committee consideration H.R. 2528, making appropriations for military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2006, with an amendment in the nature of a substitute.

APPROPRIATIONS: DOT

Committee on Appropriations: Subcommittee on Transportation, Treasury, The Judiciary, Housing and Urban Development, and Related Agencies approved for full Committee consideration H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, with an amendment in the nature of a substitute.

DEPARTMENT OF HOMELAND SECURITY REORGANIZATION

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine modifications to the organizational structure and operations of the Department of Homeland Security as part of an effort to make it more efficient and effective, focusing on preparedness, borders and immigration, transportation security, and information sharing, after receiving testimony from Michael Chertoff, Secretary of Homeland Security.

FAA'S AGE 60 RULE

Committee on Commerce, Science, and Transportation: Subcommittee on Aviation concluded a hearing to examine the Federal Aviation Administration's Age-60 Rule, which provides that a pilot may not engage in what are known as part 121 operations if the pilot has reached his 60th birthday, including operations of large commercial passenger aircraft, smaller propeller aircraft with 10 or more passenger seats, and common carriage operations of all-cargo aircraft with a payload capacity of 7500 pounds, after receiving testimony from Senator Inhofe and Representative Gibbons; Jon L. Jordan, Federal Air Surgeon, Federal Aviation Administration, Department of Transportation; Russell B. Rayman, Aerospace Medical Association, Alexandria, Virginia; Duane E. Woerth, Air Line Pilots Association, International, Washington, D.C.; Joseph Eichelkraut, Southwest Airlines Pilots' Association, Dallas, Texas; Ralph Hunter, Allied Pilots Association, Fort Worth, Texas; and Al Spain, Jet Blue Airways Corporation, Salt Lake City, Utah.

NUCLEAR TESTING ON MARSHALL ISLANDS

Committee on Energy and Natural Resources: Committee concluded an oversight hearing to examine the effects of the United States nuclear testing program on the Marshall Islands, focusing on the development of baseline cancer and radiation-related illness rates relating to the testing, after receiving testimony from American Samoa Delegate Faleomavaega; Howard M. Krawitz, Acting Assistant Secretary of State for East Asia and Pacific Affairs; Thomas Lum, Specialist in Asian Affairs, Congressional Research Service, Library of Congress; Kiyohiko Mabuchi, Division of Cancer Epidemiology and Genetics, National Cancer Institute, National Institutes of Health, Department of Health and Human Services; Gerald M. Zackios, Minister of Foreign Affairs, and James H. Plasman, Nuclear Claims Tribunal, both of Republic of the Marshall Islands, Majuro; Neal A. Palafox, University of Hawaii John A. Burns School of Medicine, Manoa; and Steven L. Simon, Washington, D.C.

IRAQI POLITICAL DEVELOPMENT

Committee on Foreign Relations: Committee concluded a hearing to examine advancing Iraqi political development, focusing on the development of a constitution, after receiving testimony from Phebe Marr, United States Institute of Peace, and Judy Van Rest, International Republican Institute, both of Washington, D.C.; and Noah Feldman, New York University School of Law, New York.

SECURING CYBERSPACE

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, and International Security concluded a hearing to examine efforts to protect national information infrastructures, focusing on challenges in protecting United States critical infrastructures from cybersecurity threats, after receiving testimony from Donald Purdy, Jr., Acting Director, National Cyber Security Division, Department of Homeland Security; David A. Powner, Director, Information Technology, Management Issues, Government Accountability Office; Thomas M. Jarrett, Delaware Department of Technology and Information, Dover; and Paul M. Skare, Siemens Power Transmission and Distribution, Inc., Minnetonka, Minnesota.

VIOLENCE AGAINST WOMEN ACT REAUTHORIZATION

Committee on the Judiciary: Committee concluded a hearing to examine S. 1197, to reauthorize the Violence Against Women Act of 1994, focusing on the Family Justice Center Initiative, the sexual assault forensic exam protocol, and other efforts to eradicate crimes of domestic violence, dating violence, sexual assault, and stalking, after receiving testimony from Diane M. Stuart, Director, Office on Violence Against Women, Department of Justice; Sheriff Edmund M. Sexton, Sr., Tuscaloosa County, Alabama, on behalf of the National Sheriffs' Association; Lynn Rosenthal, National Network to End Domestic Violence, and Mary Lou Leary, National Center for Victims of Crime, both of Washington, D.C.; M.L. Carr, WARM2Kids, San Francisco, California, on behalf of the Family Violence Prevention Fund; and Salma Hayek, Avon Foundation, New York, New York.

FEDERAL CONSENT DECREE FAIRNESS ACT

Committee on the Judiciary: Subcommittee on Administrative Oversight and the Courts concluded a hearing to conduct a review of Federal consent decrees, focusing on S. 489, to amend chapter 111 of title 28, United States Code, to limit the duration of Federal consent decrees to which State and local governments are a party, after receiving testimony from Senator Alexander; Representative Berman; Lois J. Schiffer, Baach, Robinson, and Lewis, PLLC, former Assistant Attorney General, Department of Justice, and Michael S. Greve, American Enterprise Institute, both of Washington, D.C.; Alabama Attorney General Troy King, Montgomery; Judge Nathaniel R. Jones (Ret.), Blank and Rome, LLP, Cincinnati, Ohio; Ross Sandler, New York University School of Law, New York, New York; and Timothy Stoltzfus Jost, Washington and Lee University School of Law, Lexington, Virginia.

NOMINATION

Select Committee on Intelligence: Committee concluded a hearing to examine the nomination of Benjamin A. Powell, of Florida, to be General Counsel of the Office of the Director of National Intelligence, after the nominee, who was introduced by Senator Martinez, testified and answered questions in his own behalf.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 24 public bills, H.R. 3329–3352; 5 private bills, H.R. 3353–3357; and 3 resolutions, H. Res. 366–368 were introduced. **Page 16537**

Additional Cosponsors: **Page 16538**

Reports Filed: Reports were filed today as follows:

H.R. 3020, to extend the existence of the Parole Commission (H. Rept. 109–176); **Page 16537**

Chaplain: The prayer was offered today by Dr. Jerry C. White, Pastor, Riverside Baptist Church in Greer, South Carolina. **Page 16391**

Recess: The House recessed at 9:08 a.m. for the purpose of receiving Prime Minister Manmohan Singh. The House reconvened at 11:30 a.m., and agreed that the proceedings had during the Joint Meeting be printed in the Record. **Page 16391**

Joint Meeting to receive His Excellency Manmohan Singh, Prime Minister of the Republic of India: The House and Senate met in a joint session to receive His Excellency Manmohan Singh, Prime Minister of the Republic of India. He was escorted into the Chamber by a committee comprised of Representatives DeLay, Blunt, Shadegg, Doolittle, Ros-Lehtinen, Tom Davis of Virginia, Jindal, Pelosi, Hoyer, Menendez, Lantos, Faleomavaega, Pallone, and Crowley; and Senators Frist, McConnell, Stevens, Thomas, Martinez, Reid, Durbin, Stabenow, and Sarbanes. **Page 16391**

Foreign Relations Authorization Act for Fiscal Years 2006 and 2007: The House began consideration of H.R. 2601, to authorize appropriations for the Department of State for fiscal years 2006 and 2007. Further consideration will continue tomorrow, July 20. **Page 16409**

Pursuant to the rule the amendment in the nature of a substitute recommended by the Committee on International Relations, now printed in the bill and modified by the amendment printed in part A of H. Rept. 109–175, was considered as an original bill for the purpose of amendment. **Pages 16418, 16454**

Agreed to:

Hyde manager's amendment (no. 1 printed in H. Rept. 109–175) that makes technical revisions and minor changes and amendments to clarify certain provisions, and correct oversights and errors found after the bill was reported; **Page 16454**

Dreier amendment (no. 3A made in order under section two of the rule) that provides for the authorization to establish an Active Response Corps to provide assistance in support of stabilization and reconstruction activities in foreign countries or regions that are in, are transitioning from, or are likely to enter into, conflict or civil strife; **Page 16468**

Poe amendment (no. 4 printed in H. Rept. 109–175) that authorizes funding through the Migration and Refugee Assistance account to provide emergency aid to the internally displaced people of Burma; **Page 16470**

Poe amendment (no. 5 printed in H. Rept 109–175) that amends the Foreign Service Act to strengthen the statutory basis of the Department's requirement for world-wide availability for new entrants to the Foreign Service; and clarifies the medical policies regarding applicants; **Page 16471**

Burton amendment (no. 7 printed in H. Rept. 109–175) that authorizes the transfer of two aircraft to the government of Columbia for use by the Columbian Navy to disable ships carrying cocaine and heroin; **Page 16471**

Souder amendment (no. 11 printed in H. Rept. 109–175) that authorizes funding for INL to purchase or lease a maritime refueling support vessel capable of refueling U.S. and allied vessels engaged in drug interdiction in the Eastern Pacific transit zone; **Page 16478**

Hyde amendment (no. 13 printed in H. Rept. 109–175) that authorizes measures to deter arms transfers by foreign countries to the People's Republic of China; **Page 16481**

Ackerman amendment (no. 14 printed in H. Rept. 109–175) that raises the authorized level for the State Department program which provides for reimbursement to localities for services provided for the protection of foreign missions and officials; and authorizes back payments to New York City for expenses incurred since 2002; **Page 16485**

Blunt amendment (no. 15 printed in H. Rept. 109–175) that declares that it is U.S. policy to oppose the creation of any international or global taxation by the UN; and that no U.S. person shall be subject to such a tax; **Page 16486**

Lantos amendment (no. 16 printed in H. Rept. 109–175) that provides for equal treatment of employees of the State Departments who are residents of U.S. territories in the personnel policies of the Department; and permits the same reimbursements for travel of dependents of Department employees from overseas station to public universities in the territory of the employee's legal residence; **Page 16498**

Burton amendment (no. 17 printed in H. Rept. 109–175) that requires the Secretary of State to conduct a cost-benefit analysis on how best to use American security assistance dollars to thwart alien smuggling, trafficking in person, and possible terrorists entering from Ecuador; **Page 16498**

Lantos amendment (no. 18A made in order under section two of the rule) that expresses concern about language in the declaration of the Heads of State of the Shanghai Cooperation Organization; **Page 16499**

Smith of New Jersey amendment (no. 19 printed in H. Rept. 109–175) that withholds funding to the UN for any of its agencies or committees headed by nations on the State Department's terrorist watch list; **Page 16500**

Hyde amendment (no. 2 printed in H. Rept. 109–175), as modified by unanimous consent agreement, that adds the Henry J. Hyde United Nations Reform Act of 2005, as passed by the House, to the bill (by a recorded vote of 226 ayes to 195 noes, Roll No. 385); **Pages 16455, 16487, 16501**

Kennedy of Minnesota amendment (no. 8 printed in H. Rept. 109–175) that requires the State Department to annually certify that the five biggest exporters and importers of certain methamphetamine precursors are "fully cooperating" with U.S. law enforcement to prevent diversion of these chemicals for illicit purposes (by a recorded vote of 423 ayes to 2 noes, Roll No. 386); **Pages 16473, 16502**

Hooley amendment (no. 9 printed in H. Rept. 109–175) that directs the Bureau for International Narcotics and Law Enforcement Affairs (INL) to make a priority of stemming the influx of methamphetamine from Mexico; and directs INL to improve border security (by a recorded vote of 424 ayes to 1 no, Roll No. 387); **Pages 16475, 16502**

Souder amendment (no. 10 printed in H. Rept. 109–175) that requires a report on extradition requests for Afghans who have committed violations of narcotics laws in the U.S. (by a recorded vote of 426 ayes to 1 no, Roll No. 388); and **Pages 16477, 16503**

Smith of New Jersey amendment (no. 12 printed in H. Rept. 109–175) that expands activities to treat and prevent obstetric fistula, and provide access to contraceptive services and family planning; and makes these activities discretionary rather than obligatory (by a recorded vote of 223 ayes to 205 noes, Roll No. 389). **Pages 16479, 16504**

H. Res. 365, the rule, as amended, providing for consideration of the bill was agreed to by recorded vote of 228 ayes to 190 noes, Roll No. 384, after agreeing to order the previous question on the amendment and the rule by a yea-and-nay vote of 226 yeas to 196 nays, Roll No. 383. **Page 16398**

Presidential Messages: Read a message from the President wherein he transmitted the District of Columbia's Fiscal Year 2006 Budget Request Act—referred to the Committee on Appropriations and ordered printed (H. Doc. 109–47). **Page 16505**

Read a message from the President wherein he notified Congress of the continuation of the national emergency and related measures blocking the property of certain persons and prohibiting the importation of certain goods from Liberia—referred to the Committee on International Relations and ordered printed (H. Doc. 109–48). **Page 16505**

Benjamin Franklin Tercentenary Commission: The Chair announced the Speaker's appointment of Representative Castle to the Benjamin Franklin Tercentenary Commission. **Page 16505**

Surface Transportation Extension Act: The House passed H.R. 3332, to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century. **Page 16518**

Senate Messages: Message received from the Senate today appears on pages 16505 and 16534.

Senate Referrals: S. 335 was referred to the Committee on Education and the Workforce; S. 1413 was referred to the Committee on Transportation and Infrastructure; S. Con. Res. 26 was referred to the Committee on Transportation and Infrastructure. **Page 16534**

Quorum Calls—Votes: One yea-and-nay vote and six recorded votes developed during the proceedings of today and appear on pages 16408–09 and 16501–04. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 9:55 p.m.

Committee Meetings

MILITARY RECRUITING AND RETENTION

Committee on Armed Services: Subcommittee on Military Personnel held a hearing on the Current Status of Military Recruiting and Retention. Testimony was heard from the following officials of the Department of Defense: David S. C. Chu, Under Secretary, Personnel and Readiness; Thomas F. Hall, Assistant Secretary, Reserve Affairs; LTG Franklin L. Hagenbeck, USA, Deputy Chief of Staff, G–1, Headquarters, Department of the Army; VADM Gerald Hoewing, USN, Deputy Chief of Naval Operations (Manpower, Personnel, Training and Education), Department of the Navy; LTG H.P. Osman, USMC, Deputy Commander, Manpower and Reserve Affairs, U.S. Marine Corps; LTG Roger A. Brady, USAF, Deputy Chief of Staff, Personnel, Headquarters, U.S. Air Force; LTG Clyde A. Vaughn, USA, Director, Army National

Guard; LTG James R. Helmly, USA, Chief, Army Reserve and Commanding General, U.S. Army Reserve Command; VADM John G. Cotton, USN, Chief of Naval Reserve; LTG John W. Bergman, USMCR, Commander, Marine Forces Reserve/Marine Forces North; LTG Daniel James III, USAF, Director, Air National Guard; and LTG John Bradley, USAF, Chief of Air Force Reserve and Commander Air Force Reserve Command.

DD(X) SURFACE COMBATANT SHIP

Committee on Armed Services: Subcommittee on Projection Forces held a hearing on Department of the Navy FY06 Plans and Programs for the DD(X) Next-Generation Multi-Mission Surface Combatant Ship. Testimony was heard from the following officials of the Department of Defense: Kenneth J. Krieg, Under Secretary, Acquisition, Technology and Logistics; Adm Vern E. Clark, USN, Chief of Naval Operations; John J. Young, Jr., Assistant Secretary, Research, Development and Acquisition; and RAD Charles S. Hamilton II, USN, Program Executive Officer for Ships, Naval Sea Systems Command, all with the Department of the Navy; Paul L. Francis, Director, Acquisition and Sourcing Management GAO; Ronald O'Rourke, Specialist in National Defense, CRS, Library of Congress; J. Michael Gilmore, Assistant Director and Eric J. Labs, Principal Analyst, both with the National Security Division, CBO; and a public witness.

Hearings continue tomorrow.

NIH REAUTHORIZATION

Committee on Energy and Commerce: Held a hearing entitled "Legislation to Reauthorize the National Institutes of Health." Testimony was heard from Elias A Zerhouni, M.D., Director, NIH, Department of Health and Human Services.

NATIVE AMERICAN LAND TITLE GRANTS

Committee on Financial Services: and the Committee on Resources held a joint hearing entitled "Improving Land Title Grant Procedures for Native Americans." Testimony was heard from Rodger J. Boyd, Deputy Assistant Secretary, Public and Indian Housing, Office of Native American Programs, Department of Housing and Urban Development; and William P. Ragsdale, Director, Bureau of Indian Affairs, Department of the Interior.

DEPLOYED FORCES HEALTH SURVEILLANCE

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations held a hearing entitled "Occupational and Environmental Health Surveillance of Deployed Forces: Tracking Toxic Casualties." Testimony was heard from the following officials of the Department of Defense: Michael Kilpatrick, M.D., Deputy Director, Deployment Health Support Directorate; and Company Sergeant Major Brian Scott La Morte, Company Sergeant Major, B Company, 3rd Battalion, 20th Special Forces Group (Airborne), North Carolina Army National Guard; Marcia Crosse, M.D., Director, Health Care, GAO; Susan Mather, M.D., Chief Officer, Public Health and Environmental Hazards, Veterans Health Administration, Department of Veterans Affairs; and public witnesses.

IMPROVING AVIATION SECURITY

Committee on Homeland Security: Subcommittee on Economic Security, Infrastructure Protection, and Cybersecurity concluded hearings entitled "Leveraging Technology to Improve Aviation Security, Part II." Testimony was heard from Clifford A. Wilke, Assistant Administrator, and Chief Technology Officer, Transportation Security Administration, Department of Homeland Security.

OVERSIGHT—CAN CONGRESS CREATE A RACE-BASED GOVERNMENT/HAWAII

Committee on the Judiciary, Subcommittee on the Constitution held an oversight hearing on Can Congress Create A Race-Based Government?: The Constitutionality of H.R. 309, Native Hawaiian Government Reorganization Act of 2005, and S. 147, Native Hawaiian Government Reorganization Act of 2005. Testimony was heard from Mark Bennett, Attorney General, State of Hawaii; and public witnesses.

U.S. GOVERNMENT AND FOREIGN INFLUENCE

Committee on the Judiciary: Subcommittee on the Constitution held a hearing on the following: H. Res. 97, Expressing the sense of the House of Representatives that judicial determinations regarding the meaning of the Constitution of the United States should not be based on judgments, laws, or pronouncements of foreign institutions unless such foreign judgments, laws, or pronouncements inform an understanding of the original meaning of the Constitution of the United States; and the Appropriate Role of Foreign Judgements in the Interpretation of American Law. Testimony was heard from public witnesses.

EASTERN OYSTERS/ENDANGERED SPECIES ACT

Committee on Resources: Held an oversight hearing entitled "The Status of the Eastern Oyster (Crassostrea virginica) and the Petition to List the Eastern Oyster as Endangered or Threatened under the Endangered Species Act." Testimony was heard from Jim Wesson, Department Head of Conservation and Replenishment, Marine Resources Commission, State of Virginia; William S. Perret, Director, Marine Fisheries, Department of Marine Resources, State of Mississippi; Chris Judy, Director, Fisheries Service, Shellfish Restoration Program, Department of Natural Resources, State of Maryland; and public witnessers.

OVERSIGHT—UPGRADING BUREAU OF RECLAMATION'S FACILITIES

Committee on Resources: Subcommittee on Water and Power held an oversight hearing entitled "Maintaining and Upgrading the Bureau of Reclamation's Facilities to Improve Power Generation, Enhance Water Supply and Keep our Homeland Secure." Testimony was heard from John Keys III, Commissioner, Bureau of Reclamation, Department of the Interior; and public witnesses.

NASA AUTHORIZATION ACT

Committee on Rules: Testimony was heard from Chairman Boehlert and Representatives Calvert, Honda and Jackson-Lee of Texas, but action was deferred on H.R. 3070, National Aeronautics and Space Administration Authorization Act of 2005.

Joint Meetings

ENERGY POLICY ACT

Conferees met to resolve the differences between the Senate and House passed versions of H.R. 6, to ensure jobs for our future with secure, affordable, and reliable energy, but did not complete action thereon, and will meet again on Thursday, July 21, 2005.

◆◆◆◆◆◆◆◆◆◆◆◆

Wednesday, July 20, 2005

Senate

Chamber Action

Routine Proceedings, pages 16558–16647

Measures Introduced: Thirteen bills were introduced, as follows: S. 1427–1439. **Page 16616**

Measures Passed:

Foreign Operations Appropriations: By 98 yeas to 1 nay (Vote No. 197), Senate passed H.R. 3057, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2006, after taking action on the following amendments proposed thereto: **Page 16565**

Adopted:

McConnell (for Lugar/Leahy) Amendment No. 1293, to promote reform of the multilateral development banks. **Page 16565**

By a unanimous vote of 98 yeas (Vote No. 195), Landrieu Modified Amendment No. 1245, to express the sense of the Senate regarding the use of funds for orphans, and displaced and abandoned children. **Pages 16565, 16568, 16573, 16585**

By 86 yeas to 12 nays (Vote No. 196), Chambliss Amendment No. 1271, to prevent funds from being made available to provide assistance to a country which has refused to extradite certain individuals to the United States. **Pages 16565, 16585**

Schumer Amendment No. 1304, to require a report to Congress on mergers or acquisitions between certain United States and foreign companies. **Pages 16578, 16586**

McConnell (for Feingold/Collins) Modified Amendment No. 1255, to extend the termination date of Office of the Special Inspector General of Iraq Reconstruction, and to provide as an emergency requirement additional funds for the Office. **Page 16586**

Dodd Amendment No. 1305, to require the Secretary of State to report to Congress on a plan for holding elections in Haiti in 2005 and 2006. **Pages 16582, 16587**

Biden/Lugar Amendment No. 1301, to provide support to the Comprehensive Nuclear Test Ban Treaty Preparatory Commission and to provide an offset. **Pages 16585, 16587**

McConnell (for Biden) Modified Amendment No. 1252, to require a report on assistance for United States citizens who are victims of crime in foreign countries. **Page 16587**

McConnell (for Byrd) Amendment No. 1306, to modify the responsibilities and authorities applicable to the United States-China Economic and Security Review Commission. **Page 16588**

McConnell (for Leahy) Amendment No. 1307, to require that funds made available for the United Nations Population Fund be used for certain purposes. **Page 16589**

McConnell (for Frist) Amendment No. 1308, to provide that funds appropriated for nonproliferation, anti-terrorism, demining and related programs and made available for the Comprehensive Test Ban Treaty International Monitoring System may be made available to the Under Secretary of State for Arms Control and International Security for use in certain nonproliferation efforts and counterproliferation efforts. **Page 16589**

By unanimous-consent, notwithstanding passage of the bill, Salazar Modified Amendment No. 1263, to increase the accountability and effectiveness of international police training. **Page 16592**

Senate insisted on its amendments, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators McConnell, Specter, Gregg, Shelby, Bennett, Bond, DeWine, Brownback, Cochran, Leahy, Inouye, Harkin, Mikulski, Durbin, Johnson, Landrieu, and Byrd. **Page 16592**

Department of Defense Authorization: Senate began consideration of S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, taking action on the following amendments proposed thereto: **Page 16592**

Adopted:

Warner/Levin Amendment No. 1315, to authorize the National Defense University to award the degree of Master of Science in Joint Campaign Planning and Strategy. **Page 16598**

Warner/Levin Amendment No. 1318, to authorize a pilot program on expanded public-private partnerships for research and development. **Page 16600**

Warner/Levin Amendment No. 1319, to modify the requirements for reports on program to award prizes for advanced technology achievements. **Page 16600**

Warner Amendment No. 1320, to make a technical correction relating to the Science, Mathematics, and Research for Transformation (SMART) Defense Education Program. **Page 16600**

Warner (for McConnell) Amendment No. 1324, to authorize the construction of chemical demilitarization facilities. **Page 16600**

Warner Amendment No. 1321, to establish certain qualifications for individuals who serve as Regional Directors of the TRICARE program. **Page 16600**

Warner/Levin Amendment No. 1322, to make technical corrections to certain authorizations of appropriations. **Page 16600**

Levin/Collins Amendment No. 1325, to require a strategic human capital plan for civilian employees of the Department of Defense. **Page 16601**

Warner (for Graham) Amendment No. 1323, to clarify the amendment relating to the grade of the Judge Advocate General of the Army. **Page 16600**

Pending:

Warner Amendment No. 1314, to increase amounts available for the procurement of wheeled vehicles for the Army and the Marine Corps and for armor for such vehicles. **Page 16596**

A unanimous-consent agreement was reached providing for further consideration of the bill on Thursday, July 21, 2005, following the cloture vote on the nomination of Thomas C. Dorr (listed below). **Page 16646**

Dorr Nomination—Agreement: A unanimous-consent-time agreement was reached providing for further consideration of the nomination of Thomas C. Dorr, of Iowa, to be Under Secretary of Agriculture for Rural Development, at 9:30 a.m., on Thursday, July 21, 2005, with 1 hour for debate, followed by a vote on the motion to invoke cloture on the nomination. **Page 16646**

Nominations Received: Senate received the following nominations:

William Robert Timken, Jr., of Ohio, to be Ambassador to the Federal Republic of Germany.

4 Air Force nominations in the rank of general.

5 Army nominations in the rank of general. **Page 16647**

Messages From the House: **Page 16605**

Measures Referred: **Page 16606**

Executive Communications: **Page 16606**

Petitions and Memorials: **Page 16606**

Executive Reports of Committees: **Page 16616**

Additional Cosponsors: **Page 16616**

Statements on Introduced Bills/Resolutions: **Page 16617**

Additional Statements: **Page 16605**

Amendments Submitted: **Page 16631**

Notices of Hearings/Meetings: **Page 16640**

Authority for Committees to Meet: **Page 16641**

Privilege of the Floor: **Page 16642**

Record Votes: Three record votes were taken today. (Total—197) **Pages 16585–86, 16591**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 7:15 p.m. until 9:30 a.m., on Thursday, July 21, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 16646.)

Committee Meetings

FOOD AND AGRICULTURE SECURITY

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine biosecurity preparedness and efforts to address agroterrorism threats, after receiving testimony from Charles F. Conner, Deputy Secretary of Agriculture; Maureen I. McCarthy, Director, Office of Research and Development, Science and Technology Directorate, Department of Homeland Security; John E. Lewis, Deputy Assistant Director, Counterterrorism Division, Federal Bureau of Investigation, Department of Justice; Robert E. Brackett, Director, Center for Food Safety and Applied Nutrition, Food and Drug Administration, Department of Health and Human Services; John L. Sherwood, University of Georgia Department of Plant Pathology, Athens; James A. Roth, Iowa State University Center for Food Security and Public Health, Ames; James Lane, Ford County Undersheriff, Dodge City, Kansas; and Mark J. Cheviron, Archer Daniels Midland Company, Decatur, Illinois.

HEALTH INFORMATION TECHNOLOGY

Committee on the Budget: Committee concluded a hearing to examine the Federal role and budget implications relating to health information technology, which integrates the disciplines of medicine, computer technology, and business management, focusing on preventing medical errors, providing clinicians with better clinical decision-making tools, the treatment of patients, tracking health outcomes, and coordinating public health activities, after receiving testimony from Michael O. Leavitt, Secretary of Health and Human Services.

CLIMATE CHANGE POLICY

Committee on Commerce, Science, and Transportation: Subcommittee on Global Climate Change and Impacts concluded a hearing to examine the climate policy of the United States, focusing on the climate-related science and technology budget request for fiscal year 2006, after receiving testimony from James R. Mahoney, Assistant Secretary of Commerce for Oceans and Atmosphere; Daniel Reifsnyder, Director, Office of Global Climate Change, Department of State; David W. Conover, Principal Deputy Assistant Secretary, Office of Policy and International Affairs, Department of Energy; and Ralph J. Cicerone, President, National Academy of Sciences.

LANDS BILLS

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests concluded a hearing to examine S. 703, to provide for the conveyance of certain Bureau of Land Management land in the State of Nevada to the Las Vegas Motor Speedway, S. 997, to direct the Secretary of Agriculture to convey certain land in the Beaverhead-Deerlodge Forest, Montana, to Jefferson County, Montana, for use as a cemetery, S. 1131, to authorize the exchange of certain Federal land within the State of Idaho, S. 1170, to establish the Fort Stanton-Snowy River National Cave Conservation Area, S. 1238, to amend the Public Lands Corps Act of 1993 to provide for the conduct of projects that protect forests, and H.R. 1101, to revoke a Public Land Order with respect to certain lands erroneously included in the Cibola National Wildlife Refuge, California, after receiving testimony from Senator Ensign; Joel Holtrop, Deputy Chief, National Forest System, U.S. Forest Service, Department of Agriculture; Lawrence E. Benna, Deputy Director, Operations, Bureau of Land Management, Department of the Interior; Idaho State Controller Keith L. Johnson, Boise; and Penelope J. Boston, New Mexico Institute of Mining and Technology, Socorro.

BUSINESS MEETING

Committee on Environment and Public Works: Committee ordered favorably reported the following business items:

H.R. 1428, to authorize appropriations for the National Fish and Wildlife Foundation;

S. 1250, to reauthorize the Great Ape Conservation Act of 2000, with an amendment;

S. 1409, to amend the Safe Drinking Water Act Amendments of 1996 to modify the grant program to improve sanitation in rural and Native villages in the State of Alaska, with an amendment in the nature of a substitute;

S. 1265, to make grants and loans available to States and other organizations to strengthen the economy, public health, and environment of the United States by reducing emissions from diesel engines, with an amendment in the nature of a substitute;

S. 1400, to amend the Federal Water Pollution Control Act and the Safe Drinking Water Act to improve water and wastewater infrastructure in the United States, with amendments;

S. 1339, to reauthorize the Junior Duck Stamp Conservation and Design Program Act of 1994;

S. 1340, to amend the Pittman-Robertson Wildlife Restoration Act to extend the date after which surplus funds in the wildlife restoration fund become available for apportionment;

S. 158, to establish the Long Island Sound Stewardship Initiative;

S. 1410, to reauthorize the Neotropical Migratory Bird Conservation Act;

S. 1415, to amend the Lacey Act Amendments of 1981 to protect captive wildlife and make technical corrections;

The nominations of Marcus C. Peacock, of Minnesota, to be Deputy Administrator, Granta Y. Nakayama, of Virginia, to be an Assistant Administrator, and Susan P. Bodine, of Maryland, to be Assistant Administrator, Office of Solid Waste, all of the Environmental Protection Agency.

NOMINATIONS

Committee on Finance: Committee concluded a hearing to examine the nominations of Robert M. Kimmitt, of Virginia, to be Deputy Secretary of the Treasury, Randal Quarles, of Utah, to be Under Secretary of the Treasury for Domestic Finance, Sandra L. Pack, of Maryland, to be Assistant Secretary of the Treasury for Management, and Kevin I. Fromer, of Virginia, to be Deputy Under Secretary of the Treasury for Legislative Affairs, after the nominees testified and answered questions in their own behalf.

NOMINATIONS

Committee on Finance: Committee ordered favorably reported the nominations of Charles E. Johnson, of Utah, and Suzanne C. DeFrancis, of Maryland, both to be an Assistant Secretary of Health and Human Services, and Alex Azar II, of Maryland, to be Deputy Secretary of Health and Human Services.

IRAQ ECONOMIC PROGRESS

Committee on Foreign Relations: Committee concluded a hearing to examine economic progress in Iraq, focusing on oil production and distribution infrastructure and combating corruption in the Iraqi oil industry, after receiving testimony from Keith Crane, RAND Corporation, Arlington, Virginia; and Fareed Mohamedi, PFC Energy, and Frederick D. Barton, Center for Strategic and International Studies, both of Washington, D.C.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported the following business items:

S. 1420, to amend the Federal Food, Drug, and Cosmetic Act with respect to medical device user fees, with an amendment in the nature of a substitute; and

S. 1418, to enhance the adoption of a nationwide interoperable health information technology system and to improve the quality and reduce the costs of health care in the United States, with an amendment in the nature of a substitute; and

The nomination of Kathie L. Olsen, of Oregon, to be Deputy Director of the National Science Foundation.

REPORTERS' PRIVILEGE LEGISLATION

Committee on the Judiciary: Committee concluded a hearing to examine issues and implications relating to proposed reporters' shield legislation, focusing on freedom of the press, the use of confidential sources by journalists, and state laws that recognize the rights of reporters to those sources, after receiving testimony from Senators Lugar and Dodd; Representative Pence; Matthew Cooper, Time Magazine, Inc., and Lee Levine, Levine, Sullivan, Koch, and Schulz, LLP, both of Washington, D.C.; Norman Pearlstine, Time Inc., William Safire, New York Times Company, and Floyd Abrams, Cahill Gordon and Reindel, LLP, all of New York, New York; and Geoffrey R. Stone, University of Chicago Law School, Chicago, Illinois.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

MEDICAID

Special Committee on Aging: Committee held a hearing to examine solutions to save money in Medicaid, focusing on the government's system for purchasing prescription drugs under the Medicaid program, features of the process by which Medicaid purchases prescription drugs in the fee-for-service sector of the program, including the way it reimburses pharmacies for drug purchases and the rebate it receives from drug manufacturers, and how prices that Medicaid pays for drugs compare with the prices paid by other purchasers, receiving testimony from Douglas Holtz-Eakin, Director, Congressional Budget Office; Julie Stone-Axelrad, Analyst in Social Legislation, Domestic Social Policy Division, Congressional Research Service, Library of Congress; Vincent J. Russo, Vincent J. Russo and Associates, PC, Westbury, New York, on behalf of the National Academy of Elder Law Attorneys; Mark Gibson, Oregon Health and Science University Center for Evidence-based Policy, Portland; and Margaret A. Murray, Association for Community Affiliated Plans, Washington, D.C.

Hearings recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 13 public bills, H.R. 3358–3370; 1 private bill, H.R. 3371; and 5 resolutions, H.J. Res. 61; H. Con. Res. 211; and H. Res. 371–373 were introduced. **Page 16748**

Additional Cosponsors: **Page 16749**

Reports Filed: Reports were filed today as follows:

H.R. 3200, to amend title 38, United States Code, to enhance the Servicemembers' Group Life Insurance program (H. Rept. 109–177);

H. Res. 369, providing for consideration of H.R. 3199, to extend and modify authorities needed to combat terrorism (H. Rept. 109–178); and

H. Res. 370, providing for consideration of H.R. 3070, to reauthorize the human space flight, aeronautics, and science programs of the National Aeronautics and Space Administration (H. Rept. 109–179). **Page 16748**

Speaker: Read a letter from the Speaker wherein he appointed Representative Foley to act as Speaker Pro Tempore for today. **Page 16648**

Chaplain: The prayer was offered today by Dr. Kenneth L. Samuel, Pastor, Victory Baptist Church in Stone Mountain, Georgia. **Page 16648**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Permitting the use of the rotunda of the Capitol for a ceremony to honor Constantino Brumidi: H. Con. Res. 202, permitting the use of the rotunda of the Capitol for a ceremony to honor Constantino Brumidi on the 200th anniversary of his birth; and **Page 16654**

Calling for free and fair parliamentary elections in the Republic of Azerbaijan: Debated on July 18: H. Res. 326, calling for free and fair parliamentary elections in the Republic of Azerbaijan, by a ⅔ yea and nay vote of 416 yeas to 1 nay, Roll No. 400. **Page 16716**

Foreign Relations Authorization Act for Fiscal Years 2006 and 2007: The House passed H.R. 2601, to authorize appropriations for the Department of State for fiscal years 2006 and 2007, by a recorded vote of 351 ayes to 78 noes, Roll No. 399. The bill was also considered yesterday, July 19. **Page 16657**

Rejected the Menendez motion to recommit the bill to the Committee on International Relations with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 203 ayes to 227 noes, Roll No. 398. **Page 16714**

Pursuant to the rule the amendment in the nature of a substitute recommended by the Committee on International Relations, now printed in the bill and modified by the amendment printed in part A of H. Rept. 109–

175, was considered as an original bill for the purpose of amendment.

Agreed to:

Issa amendment (No. 20 printed in H. Rept. 109–175) that adds provisions regarding the issuance of U.S. passports and the investigation of the illegal sale of passports; **Page 16657**

Smith of New Jersey amendment (No. 21A made in order under section two of the rule) that requires the Secretary of State to submit a report on nongovernmental organizations that receive funding under the President's Emergency Plan for AIDs Relief; **Page 16658**

Mack amendment (No. 25 printed in H. Rept. 109–175) that authorizes the Broadcasting Board of Governors to initiate radio and television broadcasts to Venezuela for at least 30 minutes a day of balanced, objective, and comprehensive news programming; **Page 16666**

Tancredo amendment (No. 27 printed in H. Rept. 109–175) that expresses the sense of Congress regarding comments made by Chinese Major General Zhu Chenghu; **Page 16669**

Watson amendment (No. 29 printed in H. Rept. 109–175) that authorizes funding for the State Department to improve intellectual property law and enforcement in developing countries; **Page 16676**

King of Iowa amendment (No. 22 printed in H. Rept. 109–175) that inserts the text of H. Con. Res. 144, regarding Palestinian terrorists, into the bill (by a recorded vote of 423 ayes with none voting "no", Roll No. 390); **Pages 16661, 16667**

Lantos amendment (No. 24 printed in H. Rept. 109–175) regarding the development of a strategy to counter perception by foreign students that the U.S. is not a welcoming place for them (by a recorded vote of 373 ayes to 56 noes, Roll No. 392); **Pages 16664, 16678**

Watson amendment (No. 28 printed in H. Rept. 109–175) that states that it be U.S. policy to seek the expeditious transfer of Charles Ghankay Taylor, former President of Liberia, to the Special Court for Sierra Leone to undergo trial (by a recorded vote of 422 ayes to 2 noes, Roll No. 394); **Pages 16670, 16680**

Eshoo amendment (No. 32 printed in H. Rept. 109–175) that expresses the sense of Congress that special attention should be paid to the welfare of ChaldoAssyrians and other indigenous Christians in Iraq; **Page 16683**

Fossella amendment (No. 33 printed in H. Rept. 109–175) that authorizes the U.S. Interests Sections in Havana to disseminate the names of fugitives living in Cuba and any rewards for their capture; **Page 16685**

Lantos amendment (No. 36 printed in H. Rept. 109–175) that urges the President and Secretary of State to boost efforts that would aid Mexican authorities in the effort to identify remains of murdered young women in Ciudad Juarez, Mexico; **Page 16687**

Berkley amendment (No. 30 printed in H. Rept. 109–175) that contains a declaration of policy regarding the Palestinian government, and efforts to combat terrorism (by a recorded vote of 330 ayes to 100 noes, Roll No. 395); **Pages 16681, 16707**

Rohrabacher amendment (No. 37A made in order under section two of the rule) that expresses the sense of Congress regarding the capture, detention, and interrogation of international terrorists and the detainees at Guantanamo Bay, as being essential to the successful prosecution of the Global War on Terrorism (by a recorded vote of 304 ayes to 124 noes and 2 voting "present", Roll No. 396); and **Pages 16689, 16708**

Ros-Lehtinen amendment (No. 38 printed in H. Rept. 109–175) regarding the creation of U.S. policy on the transfer of responsibility to Iraqi forces and the withdrawl of U.S. troops (by a recorded vote of 291 ayes to 137 noes and 2 voting "present", Roll No. 397). **Pages 16697, 16708**

Rejected:

Kucinich amendment (No. 23 printed in H. Rept. 109–175) that sought to require the President to direct the U.S. representatives to the U.N. to commence negotiations for an international treaty banning space-based weapons (by a recorded vote of 124 ayes to 302 noes, Roll No. 391); **Pages 16663, 16678**

Rogers of Michigan amendment (No. 26 printed in H. Rept. 109–175) regarding management of water in the Great Lakes (by a recorded vote of 156 ayes to 273 noes, Roll No. 393); and **Pages 16667, 16679**

Franks of Arizona amendment (No. 34 printed in H. Rept. 109–175) that sought to strike section 1019 of the bill, regarding consular and visa services in Pristina, Kosova. **Page 16686**

H. Res. 365, the rule providing for consideration of the bill was agreed to yesterday, July 19.

Quorum Calls—Votes: One yea-and-nay vote and 10 recorded votes developed during the proceedings today and appear on pages 16677–80, 16707–09, and 16715–17. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 10:59 p.m.

Committee Meetings

AIR FORCE'S FUTURE TOTAL FORCE PLAN

Committee on Armed Services: Held a hearing on the Air Force's Future Total Force Plan. Testimony was heard from the following officials of the Department of Defense: LTG H. Steven Blum, USA, Chief, National Guard Bureau; and the following officials of the U.S. Air Force: LTG Stephen G. Wood, Deputy Chief of Staff, Plans and Programs; LTG Daniel James III; LTG John A. Bradley, Chief, Air Force Reserve; MG Roger P. Lemke, The Adjutant General of Nebraska; and MG Mason C. Whitney, The Adjutant General of Colorado.

DD(X) SURFACE COMBATANT SHIP

Committee on Armed Services: Subcommittee on Projection Forces concluded hearings on Department of the Navy FY06 Plans and Programs for the DD(X) Next-Generation Multi-Mission Surface Combatant Ship. Testimony was heard from Paul L. Francis, Director, Acquisition and Sourcing Management, GAO; Ronald O'Rourke, Specialist in National Defense, CRS, Library of Congress; the following officials of the National Security Division, CBO: J. Michael Gilmore, Assistant Director; and Eric J. Labs, Principal Analyst; and public witnesses.

PERFORMANCE-BASED BUDGETING

Committee on the Budget: Held a hearing on Performance-Based Budgeting. Testimony was heard from Representatives Cuellar and Conaway; and Clay S. Johnson III, Deputy Director, Management, OMB.

COLLEGE ACCESS AND OPPORTUNITY ACT

Committee on Education and the Workforce: Began mark up of H.R. 609, College Access and Opportunity Act.

Will continue tomorrow.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Ordered reported, as amended, the following measures: H.R. 3204, State High Risk Pool Funding Extension Act of 2005; H.R. 3205, Patient Safety and Quality Improvement Act; H.R. 1132, National All Schedules Prescription Electronic Reporting Act of 2005; H. Res. 220, Recognizing America's Blood Centers and its member organizations for their commitment to providing over half the Nation with a safe and adequate volunteer donor blood supply; H. Res. 261, Expressing the sense of the House of Representatives that the Centers for Medicare and Medicaid Services should be commended for implementing the Medicare demonstration project to assess the quality of care of cancer patients undergoing chemotherapy, and should extend the project, at least through 2006, subject to any appropriate modifications; and H.R. 2355, Health Care Choice Act of 2005.

ELECTRONIC WASTE

Committee on Energy and Commerce: Subcommittee on Environment and Hazardous Materials held a hearing entitled "Electronic Waste: An Examination of Current Activity, Implications for Environmental Stewardship, and the Proper Federal Role." Testimony was heard from Benjamin Wu, Deputy Under Secretary, Office of Technology, Department of Commerce; Barry Breen, Deputy Assistant Administrator, Office of Solid Waste and Emergency Response, EPA; Kendl P. Philbrick, Secretary, Department of the Environment, State of Maryland; Dawn R. Gallagher, Commissioner, Department of Environmental Protection, State of Maine; and a public witness.

MONETARY POLICY AND THE STATE OF THE ECONOMY

Committee on Financial Services: Held a hearing on Monetary Policy and the State of the Economy. Testimony was heard from Alan Greenspan, Chairman, Board of Governors, Federal Reserve System.

IMPROPER PAYMENTS INFORMATION ACT IMPLEMENTATION

Committee on Government Reform: Subcommittee on Government Management, Finance, and Accountability held a hearing entitled "Implementing the Improper Payments Information Act Are We Making Progress?" Testimony was heard from Linda Combs, Controller, Office of Federal Financial Management, OMB; and McCoy Williams, Director, Financial Management and Assurance, GAO.

FEDERAL GOVERNMENT INFORMATION QUALITY

Committee on Government Reform: Subcommittee on Regulatory Affairs held a hearing entitled "Improving the Information Quality in the Federal Government." Testimony was heard from Kimberly T. Nelson, Assistant Administrator and Chief Information Officer, EPA; Tom Melius, Assistant Director, External Affairs, U.S. Fish and Wildlife Service, Department of the Interior; Jim Scanlon, Acting Deputy Assistant Secretary, Science and Data Policy, Department of Health and Human Services; and public witnesses.

HOMELAND SECURITY INFORMATION SHARING

Committee on Homeland Security: Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment held a hearing entitled "A Progress Report on Information Sharing for Homeland Security." Testimony was heard from the following officials of the Department of Homeland Security: Matthew Broderick, Director, Homeland Security Operations Center; and Joshua D. Filler, Director, Office of State and Local Government Coordination; John Cohen, Senior Homeland Security Policy Advisor, Executive Office of Public Safety, State of Massachusetts; and public witnesses.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION ACT

Committee on Rules: Granted, by voice vote, a structured rule providing one hour of general debate on H.R. 3070, to reauthorize the human space flight, aeronautics, and science programs of the National Aeronautics and Space Administration, and for other purposes, equally divided and controlled by the Chairman and ranking minority member of the Committee on Science. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Science now printed in the bill shall be considered as an original bill for the purpose of amendment. The rule waives all points of order against the committee amendment in the nature of a substitute. The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. The rule provides that the amendments printed in the report may be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions.

USA PATRIOT AND TERRORISM PREVENTION REAUTHORIZATION ACT

Committee on Rules: Granted, by voice vote, a structured rule providing two hours of general debate on H.R. 3199, to extend and modify authorities needed to combat terrorism, and for other purposes, with one hour and 30 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary and 30 minutes equally divided and controlled by the chairman and ranking minority member of the Permanent Select Committee on Intelligence. The rule waives all points of order against consideration of the bill. The rule provides that in lieu of the amendments recommended by the Committee on the Judiciary and the Permanent Select Committee on Intelligence now printed in the bill, the amendment in the nature of a substitute printed in part A of the Rules Committee report shall be considered as the original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the amendment in the nature of a substitute printed in part A of the Rules Committee report. The rule makes in order only those amendments printed in part B of the Rules Committee report, which may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in part B of the Rules Committee report. Finally, the rule provides one motion to recommit with or without instructions. Testimony has heard from Chairman Sensenbrenner, Chairman Hoekstra and Representatives Flake, Shays, Berman, Nadler, Jackson-Lee, Waters, Harman, Hastings of Florida, Ruppersberger, Lowey, Sanders, Maloney and Baldwin.

HYDROGEN ECONOMY FUTURE

Committee on Science: Subcommittee on Energy and the Subcommittee on Research held a joint hearing on Fueling the Future: On the Road to the Hydrogen Economy. Testimony was heard from the following officials of the Department of Energy: Douglas Faulkner, Acting Assistant Secretary, Office of Energy Efficiency and Renewable Energy; and George Crabtree, Director, Materials Science Division, Argonne National Laboratory; and public witnesses.

FRAUD IN INCOME TAX RETURN PREPARATION

Committee on Ways and Means: Subcommittee on Oversight held a hearing on Fraud in Income Tax Return Preparation. Testimony was heard from the following officials of the IRS, Department of the Treasury: Nancy J. Jardini, Chief, Criminal Investigation; and Nina Olson, National Taxpayer Advocate; and pubic witnesses.

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Thursday, July 21, 2005

Senate

Chamber Action

Routine Proceedings, pages 16763–16893

Measures Introduced: Twenty-four bills and two resolutions, were introduced, as follows: S. 1440–1463, and S. Res. 203–204. **Page 16841**

Measures Reported:

S. 1446, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2006. (S. Rept. No. 109–106)

H.R. 2528, making appropriations for military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2006, with an amendment in the nature of a substitute. **Page 16840**

Measures Passed:

Highway Extension: Senate passed H.R. 3377, to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century, clearing the measure for the President. **Page 16891**

Use of Capitol Rotunda: Senate agreed to H. Con. Res. 202, permitting the use of the rotunda of the Capitol for a ceremony to honor Constantino Brumidi on the 200th anniversary of his birth. **Page 16891**

VA 75th Anniversary: Senate agreed to S. Res. 203, recognizing the 75th anniversary of the establishment of the Veterans' Administration and acknowledging the achievements of the Veterans' Administration and the Department of Veterans Affairs. **Page 16891**

Patient Safety and Quality Improvement Act: Committee on Health, Education, Labor and Pensions was discharged from further consideration of S. 544, to amend title IX of the Public Health Service Act to provide for the improvement of patient safety and to reduce the incidence of events that adversely effect patient safety, and the bill was then passed, after agreeing to the following amendment, proposed thereto:

Warner (for Enzi) Amendment No. 1411, in the nature of a substitute. **Page 16891**

Department of Defense Authorization: Senate continued consideration of S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, taking action on the following amendments proposed thereto: **Page 16776**

Adopted:

By a unanimous vote of 100 yeas (Vote No. 199), Warner Modified Amendment No. 1314, to increase, with an offset, amounts available for the procurement of wheeled vehicles for the Army and the Marine Corps and for armor for such vehicles. **Pages 16781, 16789**

Graham Amendment No. 1363, to expand the eligibility of members of the Selected Reserve under the TRICARE program. **Page 16800**

Levin/Kerry Amendment No. 1376, to enhance and extend the increase in the amount of the death gratuity. **Page 16807**

Warner Amendment No. 1390, to increase the authorized number of Defense Intelligence Senior Executive Service employees. **Page 16828**

Warner (for Wyden/Smith) Amendment No. 1391, to provide for cooperative agreements with tribal organizations relating to the disposal of lethal chemical agents and munitions. **Page 16828**

Warner Amendment No. 1392, to provide for the provision by the White House Communications Agency of audiovisual support services on a nonreimbursable basis. **Page 16828**

Warner (for Inouye) Amendment No. 1393, to establish the United States Military Cancer Institute. **Page 16828**

Warner (for Sessions) Amendment No. 1394, to make available, with an offset, an additional $1,000,000 for research, development, test, and evaluation, Army, for the Telemedicine and Advanced Technology Research Center. **Page 16828**

Warner (for Reed) Amendment No. 1395, to make available, with an offset, $5,000,000 for research, development, test, and evaluation, Navy, for the design, development, and test of improvements to the towed array handler. **Page 16828**

Warner (for Stevens) Amendment No. 1396, to authorize $5,500,000 for military construction for the Army for the construction of a rotary wing landing pad at Fort Wainwright, Alaska, and to provide an offset of $8,000,000 by canceling a military construction project for the construction of an F–15E flight simulator facility at Elmendorf Air Force Base, Alaska. **Page 16829**

Warner (for Feinstein) Amendment No. 1397, to reduce funds for an Army Aviation Support Facility for the Army National Guard at New Castle, Delaware, and to modify other military construction authorizations. **Page 16829**

Warner (for Lott/Cochran) Amendment No. 1398, relating to the LHA Replacement Ship. **Page 16829**

Warner (for Feinstein/Grassley) Amendment No. 1399, to provide for the transfer of the Battleship U.S.S. *Iowa* (BB–61). **Page 16829**

Warner (for Lott) Amendment No. 1400, to improve the management of the Armed Forces Retirement Home. **Page 16829**

By 78 yeas to 19 nays (Vote No. 200), Lugar Amendment No. 1380, to improve authorities to address urgent nonproliferation crises and United States nonproliferation operations. **Pages 16816, 16830**

Pending:

Frist Amendment No. 1342, to support certain youth organizations, including the Boy Scouts of America and Girl Scouts of America. **Page 16777**

Inhofe Amendment No. 1311, to protect the economic and energy security of the United States. **Page 16783**

Inhofe/Collins Amendment No. 1312, to express the sense of Congress that the President should take immediate steps to establish a plan to implement the recommendations of the 2004 Report to Congress of the United States-China Economic and Security Review Commission. **Page 16784**

Inhofe/Kyl Amendment No. 1313, to require an annual report on the use of United States funds with respect to the activities and management of the International Committee of the Red Cross. **Page 16786**

Lautenberg Amendment No. 1351, to stop corporations from financing terrorism. **Pages 16788, 16793**

Ensign Amendment No. 1374, to require a report on the use of riot control agents. **Page 16806**

Ensign Amendment No. 1375, to require a report on the costs incurred by the Department of Defense in implementing or supporting resolutions of the United Nations Security Council. **Page 16807**

Collins Amendment No. 1377 (to Amendment No. 1351), to ensure that certain persons do not evade or avoid the prohibition imposed under the International Emergency Economic Powers Act. **Page 16808**

Durbin Amendment No. 1379, to require certain dietary supplement manufacturers to report certain serious adverse events. **Page 16810**

Hutchison/Nelson (FL) Amendment No. 1357, to express the sense of the Senate with regard to manned space flight. **Page 16814**

Thune Amendment No. 1389, to postpone the 2005 round of defense base closure and realignment. **Pages 16826, 16833**

A unanimous-consent agreement was reached providing for further consideration of the bill at 10 a.m. on Friday, July 22, 2005. **Page 16892**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that during this adjournment of the Senate, the Majority Whip, be authorized to sign duly enrolled bills or joint resolutions. **Page 16891**

Quarterly Financial Report Program—Referral: A unanimous-consent agreement was reached providing that the Committee on Commerce, Science, and Transportation be discharged from further consideration of H.R. 2385, to extend by 10 years the authority of the Secretary of Commerce to conduct the quarterly financial report program, and the bill then be referred to the Committee on Homeland Security and Governmental Affairs. **Page 16891**

Highway Extension Enrollment—Agreement: A unanimous-consent agreement was reached providing that notwithstanding the recess or adjournment of the Senate, that when the Senate receives from the House of Representatives a concurrent resolution relating to the enrollment of H.R. 3377, to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century, the resolution be considered, agreed to and the motion to reconsider be laid upon the table. **Page 16892**

Nominations Confirmed: Senate confirmed the following nominations:

By 62 yeas 38 nays (Vote No. EX. 198), Thomas C. Dorr, of Iowa, to be Under Secretary of Agriculture for Rural Development. **Pages 16764, 16893**

(Prior to this action, the vote on the motion to invoke cloture on the nomination was vitiated.) **Page 16775**

Thomas C. Dorr, of Iowa, to be a Member of the Board of Directors of the Commodity Credit Corporation. **Page 16776**

Nominations Received: Senate received the following nominations:

William J. Burns, of the District of Columbia, to be Ambassador to the Russia Federation.

Arthur F. Rosenfeld, of Virginia, to be Federal Mediation and Conciliation Director.

Donetta Davidson, of Colorado, to be a Member of the Election Assistance Commission for the remainder of the term expiring December 12, 2007. **Page 16893**

Messages From the House: **Page 16839**

Executive Communications: **Page 16839**

Executive Reports of Committees: **Page 16840**

Additional Cosponsors: **Page 16841**

Statements on Introduced Bills/Resolutions: **Page 16844**

Additional Statements: **Page 16838**

Amendments Submitted: **Page 16861**

Authority for Committees to Meet: **Page 16890**

Privilege of the Floor: **Page 16890**

Record Votes: Three record votes were taken today. (Total—200) **Pages 16776, 16792, 16830**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 8:58 p.m. until 10 a.m., on Friday, July 22, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 16892.)

Committee Meetings

BUSINESS MEETING

Committee on Agriculture, Nutrition, and Forestry: Committee ordered favorably reported an original bill entitled "Commodity Exchange Reauthorization Act of 2005."

BUSINESS MEETING

Committee on Appropriations: Committee ordered favorably reported the following bills:

H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, with an amendment in the nature of a substitute;

H.R. 2528, making appropriations for military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2006, with an amendment in the nature of a substitute; and

An original bill (S. 1446), making appropriations for the government of the District of Columbia for the fiscal year ending September 30, 2006, with an amendment in the nature of a substitute.

MONETARY POLICY REPORT

Committee on Banking, Housing, and Urban Affairs: Committee concluded an oversight hearing to examine the Semi-Annual Monetary Policy Report of the Federal Reserve, after receiving testimony from Alan Greenspan, Chairman, Board of Governors of the Federal Reserve System.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the following bills:

An original bill to amend and enhance certain maritime programs of the Department of Transportation;

S. 1390, to reauthorize the Coral Reef Conservation Act of 2000, with amendments;

S. 363, to amend the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 to establish vessel ballast water management requirements, with an amendment in the nature of a substitute;

S. 360, to amend the Coastal Zone Management Act, with an amendment in the nature of a substitute;

S. 1392, to reauthorize the Federal Trade Commission, with amendments; and

The nominations of Rebecca F. Dye, of North Carolina, to be a Federal Maritime Commissioner, and certain Coast Guard officer nomination lists.

CLIMATE CHANGE

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the current state of climate change scientific research and the economics of strategies to manage climate change, focusing on the relationship between energy consumption and climate change, new developments in climate change research and the potential effects on the U.S. economy of climate change and strategies to control greenhouse gas emissions, after receiving testimony from Ralph J. Cicerone, National Academy of Sciences, Washington, D.C.; Mario Molina, University of California, San Diego; James W. Hurrell, National Center for Atmospheric Research, Boulder, Colorado; and John Houghton, Intergovernmental Panel on Climate Change, London, England.

NOMINATIONS

Committee on Energy and Natural Resources: Committee ordered favorably reported the nominations of Jill L. Sigal, of Wyoming, to be Assistant Secretary for Congressional and Intergovernmental Affairs, David R. Hill, of Missouri, to be General Counsel, and James A. Rispoli, of Virginia, to be Assistant Secretary for Environmental Management, all of the Department of Energy; and R. Thomas Weimer, of Colorado, to be Assistant Secretary for Policy, Management, and Budget, and Mark A. Limbaugh, of Idaho, to be Assistant Secretary for Water and Science, both of the Department of the Interior.

TAX CODE'S DEPRECIATION SYSTEM

Committee on Finance: Subcommittee on Long-term Growth and Debt Reduction held a hearing to examine the Federal Tax Code's depreciation system focusing on how to amend the current depreciation system to provide simplification and updated guidance for areas such as emerging industries and technologies, and the role that depreciation should play in providing fiscal stimulus or encouraging economic growth for particular industries of the U.S. economy at large, receiving testimony from Jane G. Gravelle, Senior Specialist in Economic Policy, Congressional Research Service, Library of Congress; Joseph M. Mikrut, Capitol Tax Partners, and Thomas S. Neubig, Ernst & Young, LLP, both of Washington, D.C.; Kenneth D. Simonson, The Associated General Contractors of America, Alexandria, Virginia; and Christopher R. Anderson, Massachusetts High Technology Council, Inc., Waltham.

Hearings recessed subject to the call.

UNITED NATIONS REFORM

Committee on Foreign Relations: Committee concluded a hearing to examine reforms at the United Nations, focusing on expansion of the Security Council, the U.N. Human Rights Commission, and budget and management reform recommendations and proposed performance measures, after receiving testimony from former Senator George Mitchell, and former Representative Newt Gingrich, both on behalf of the Task Force on the United Nations, United States Institute of Peace; and R. Nicholas Burns, Under Secretary of State for Political Affairs.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Michael Retzer, of Mississippi, to be Ambassador to the United Republic of Tanzania, who was introduced by Senators Cochran and Lott, Katherine Hubay Peterson, of California, to be Ambassador to the Republic of Botswana, and Alan W. Eastham, Jr., of Arkansas, to be Ambassador to the Republic of Malawi, after the nominees testified and answered questions in their own behalf.

NOMINATIONS

Committee on Homeland Security and Governmental Affairs: Committee ordered favorably reported the nominations of Richard L. Skinner, of Virginia, to be Inspector General, and Edmund S. Hawley, of California, to be Assistant Secretary, both of the Department of Homeland Security, and Brian David Miller, of Virginia, to be Inspector General, General Services Administration.

UNITED NATIONS RENOVATION

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, and International Security concluded a hearing to examine United States financial involvement relative to the United Nations' Capital Master Plan to renovate the United Nations headquarters in New York City, after receiving testimony from Senators Inhofe and Sessions; Anne W. Patterson, Deputy Permanent United States Representative to the United Nations, Department of State; New York State Senator Martin J. Golden, Albany; and Christopher B. Burnham, United Nations Department of Management, and Donald J. Trump, The Trump Organization, both of New York, New York.

BIOSHIELD II

Committee on Health, Education, Labor, and Pensions: Subcommittee on Bioterrorism and Public Health Preparedness met to discuss S. 975, to provide incentives to increase research by private sector entities to develop medical countermeasures to prevent, detect, identify, contain, and treat illnesses, including those associated with biological, chemical, nuclear, or radiological weapons attack or an infectious disease outbreak, with Senators Lieberman, Schumer, and Hatch.

NAVAJO-HOPI LAND SETTLEMENT

Committee on Indian Affairs: Committee concluded a hearing to examine S. 1003, to amend the Act of December 22, 1974, relating to Navajo-Hopi land settlement, after receiving testimony from William P. Ragsdale, Director, Bureau of Indian Affairs, Christopher J. Bavasi and Paul Tessler, both of the Office of Navajo and Hopi Indian Relocation, all of the Department of the Interior; Wayne Taylor, Jr., The Hopi Tribe, Kykotsmovi, Arizona; and Joe Shirley, Jr., Louis Denetsosie, and Roman Bitsuie, all of The Navajo Nation, Window Rock, Arizona.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported S. 1389, to reauthorize and improve the USA PATRIOT Act, with an amendment in the nature of a substitute.

NOMINATION

Select Committee on Intelligence: Committee concluded a hearing to examine the nomination of John S. Redd, of Georgia, to be Director of the National Counterterrorism Center, Office of the Director of National Intelligence, after the nominee, who was introduced by Senator Chambliss and former Senator Robb, testified and answered questions in his own behalf.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 31 public bills, H.R. 5; and 6 resolutions, H. Con. Res. 212–215; and H. Res. 374–375 were introduced. **Page 17021**

Additional Cosponsors: **Page 17023**

Reports Filed: Reports were filed today as follows:

H.R. 2130, to amend the Marine Mammal Protection Act of 1972 to authorize research programs to better understand and protect marine mammals (H. Rept. 109–180). **Page 17021**

USA PATRIOT and Terrorism Prevention Reauthorization Act of 2005: The House passed H.R. 3199, to extend and modify authorities needed to combat terrorism, by a recorded vote of 257 ayes to 171 noes, Roll No. 414. **Pages 16908, 16967**

Rejected the Boucher motion to recommit the bill to the Committee on the Judiciary with instructions to report the same back to the House forthwith with amendments, by a yea-and-nay vote of 209 yeas to 218 nays, Roll No. 413. **Page 17001**

Pursuant to the rule the amendment in the nature of a substitute printed in part A of H. Rept. 109–178 is considered as the original bill for the purpose of amendment, in lieu of the amendments reported by the Committee on the Judiciary and the Permanent Select Committee on Intelligence now printed in the bill. **Page 16897**

Agreed to:

Flake amendment (no. 2 printed in H. Rept. 109–178) that states that the Director of the FBI must personally approve any library or bookstore request for records by the FBI under section 215 (by a recorded vote of 402 ayes to 26 noes, Roll No. 403); **Pages 16942, 16959**

Issa amendment (no. 3 in H. Rept. 109–178) that increases the oversight over the use of roving wiretaps by requiring timely notification to the issuing judge of any changes of location (by a recorded vote of 406 ayes to 21 noes, Roll No. 404); **Pages 16945, 16959**

Capito amendment (no. 4 printed in H. Rept. 109–178) that standardizes the penalties for terrorist attacks and other violence against railroad carriers and mass transportation systems on land, water, or in the air (by a recorded vote of 362 ayes to 66 noes, Roll No. 405); **Pages 16947, 16960**

Flake amendment (no. 5 printed in H. Rept. 109–178) that specifies that the recipient of a national security letter may consult an attorney, and may also challenge national security letters in court (by a recorded vote of 394 ayes to 32 noes, Roll No. 406); **Pages 16949, 16961**

Delahunt amendment (no. 7 printed in H. Rept. 109–178) that changes the reference in the forfeiture statute from 2331 (domestic terrorism) to 2332(b) and 2332 (g)(5)(B) (the Federal crime of terrorism definition) (by a recorded vote of 418 ayes to 7 noes, Roll No. 407); **Pages 16955, 16961**

Flake amendment (no. 8 printed in H. Rept. 109–178) that requires reporting by the Administrative Office of the Courts on search warrants and also eliminates the provision "unduly delaying trial" in the delayed notification section of the Patriot Act for "sneak and peak" searches (by a recorded vote of 407 ayes to 21 noes, Roll No. 408); **Pages 16956, 16962**

Lungren amendment (no. 10 printed in H. Rept. 109–178) that adds to the list of offenses that are predicates for obtaining electronic surveillance to include offenses which are related to terrorism; **Page 16970**

Coble amendment (no. 12 printed in H. Rept. 109–178), as modified by unanimous consent agreement, that amends the Contraband Cigarette Trafficking Act, which makes it unlawful to knowingly ship, possess, sell, distribute or purchase contraband cigarettes; **Page 16976**

Carter amendment (no. 13 printed in H. Rept. 109–178) that amends the Federal criminal code to apply the death penalty or life imprisonment for a terrorist offense that results in death; **Page 16979**

Hyde amendment (no. 16 printed in H. Rept. 109–178) that establishes a new criminal offense of narco-terrorism; **Page 16986**

Sessions amendment (no. 18 printed in H. Rept. 109–178) that provides additional protection to all aircraft in the special aircraft jurisdiction of the U.S. the same protection currently provided to passenger aircraft; **Page 16988**

Paul amendment (no. 19 printed in H. Rept. 109–178) that expresses the sense of Congress that no American citizen should be the target of a Federal investigation solely as a result of that person's political activities; **Page 16989**

Lowey amendment (no. 20 printed in H. Rept. 109–178) that strikes section 1014(c) of PL 107–56 as it applies to Homeland Security Grant Funding; and adds H.R. 1544, The Faster and Smarter Funding for First Responders Act of 2005, as passed by the House as a new section of the bill; **Page 16991**

Berman amendment (no. 9 printed in H. Rept. 109–178), that requires a report to Congress on the development and use of data-mining technology by departments and agencies of the Federal government (by a recorded vote of 261 ayes to 165 noes, Roll No. 409); **Pages 16967, 16998**

Schiff amendment (no. 11 printed in H. Rept. 109–178) that adds a new title to the bill regarding Reducing Crime and Terrorism at America's Seaports (by a recorded vote of 381 ayes to 45 noes, Roll No. 410); **Pages 16971, 16999**

Hart amendment (no. 14 printed in H. Rept. 109–178) that increases the penalties and criminal sentences for activities constituting terrorism financing (by a recorded vote of 387 ayes to 38 noes, Roll No. 411); and **Pages 16981, 16999**

Jackson-Lee amendment (no. 15 printed in H. Rept. 109–178), as modified by unanimous consent agreement, that allows the attachment of property and the enforcement of judgment against a judgment debtor that has engaged in planning or perpetrating any act of terrorism (by a recorded vote of 233 ayes to 192 noes, Roll No. 412). **Pages 16984, 17000**

Rejected:

Waters amendment (no. 6 printed in H. Rept. 109–178) that sought to establish under section 505 of the USA PATRIOT Act, a recipient of a national security letter may not be penalized for violating the non disclosure requirement if the recipient is mentally incompetent, under undue stress, under threat of bodily harm, or a threat of being discharged from employment. **Page 16953**

Agreed that the Clerk be authorized to make technical and conforming changes in the engrossment of the bill to reflect the actions of the House. **Page 17004**

H. Res. 369, the rule providing for consideration of the bill was agreed to by a recorded vote of 224 ayes to 196 noes and 3 voting "present", Roll No. 402, after agreeing to order the previous question by a yea-and-nay vote 224 yea to 197 nay, Roll No. 401. **Page 16897**

Surface Transportation Extension Act: The House passed H.R. 3377, to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century. **Page 16963**

Later agreed to H. Con. Res. 212, to correct technical errors in the enrollment of the bill. **Page 17004**

Senate Message: Messages received from the Senate today appears on pages 16987 and 17009

Senate Referrals: S. 45 was held at the desk, S. 544 was referred to Energy and Commerce and S. Con. Res. 212 was held at the desk. **Pages 16987, 17009**

Quorum Calls—Votes: Two yea-and-nay votes and 12 recorded votes developed during the proceedings of today and appear on pages 16907–08, 16959–63, and 16998–17003. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:35 p.m.

Committee Meetings

RENEWABLE FUELS STANDARD REVIEW USDA'S ROLE

Committee on Agriculture: Held a hearing to Review Agriculture's Role in a Renewable Fuels Standard. Testimony was heard from Keith Collins, Chief Economist, USDA; Tim Pawlenty, Governor, State of Minnesota; and public witnesses.

U.S. COAST GUARD DEEPWATER PROGRAM

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on U.S. Coast Guard Deepwater Program, Part II. Testimony was heard from the following officials of the U.S. Coast Guard, Department of Homeland Security: ADM Thomas H. Collins, Commandant; and ADM Patrick Stillman, Deepwater Program Manager.

COUNTER TERRORISM TECHNOLOGY SHARING

Committee on Armed Services: Subcommittee on Terrorism, Unconventional Threats and Capabilities and the Subcommittee on Emergency Preparedness, Science and Technology of the Committee on Homeland Security held a joint hearing on counter terrorism technology sharing. Testimony was heard from the following officials of the Department of Defense: Sue Payton, Deputy Under Secretary, Advanced Systems and Concepts; Peter F. Verga, Principal Deputy Assistant Secretary, Homeland Defense; and Tony Tether, Director, Defense Advanced Research Projects Agency; and John Kubricky, Acting Director, Homeland Security Advanced Research Projects Agency and Director, Systems Engineering and Development, Department of Homeland Security.

COLLEGE ACCESS AND OPPORTUNITY ACT

Committee on Education and the Workforce: Continued markup of H.R. 609, College Access and Opportunity Act.

Will continue tomorrow.

CREDIT CARD DATA PROCESSING

Committee on Financial Services: Subcommittee on Oversight and Investigations held a hearing entitled "Credit Card Data Processing: How Secure Is It?" Testimony was heard from public witnesses.

CONTROLLING RESTRICTED AIRSPACE

Committee on Government Reform: Held a hearing entitled "Controlling Restricted Airspace: An Examination of the Management and Coordination of Our National Air Defense." Testimony was heard from Davi M. D'Agostino, Director, Defense Capabilities and Management, GAO; the following officials of the Department of Defense: Paul McHale, Assistant Secretary, Homeland Defense; and MG Marvin S. Mayes, USAF, Commander, 1st Air Force and Continental U.S. North American Aerospace Defense Command Region; and Robert A. Sturgell, Deputy Administrator, FAA, Department of Transportation.

DARFUR PEACE AND ACCOUNTABILITY ACT

Committee on International Relations: Subcommittee on Africa, Global Human Rights and International Operations approved for full Committee action, as amended, H.R. 3127, Darfur Peace and Accountability Act of 2005.

CHINA HUMAN RIGHTS

Committee on International Relations: Subcommittee on Africa, Global Human Rights and International Operations and the Subcommittee on Oversight and Investigations held a joint hearing on Falun Gong and China's Continuing War on Human Rights. Testimony was heard from Gretchen Berkel, Acting Principal Deputy Assistant Secretary, Bureau for Democracy, Human Rights and Labor, Department of State; and public witnesses.

ELECTRONIC DUCK STAMP ACT; JUNIOR DUCK STAMP REAUTHORIZATION AMENDMENTS

Committee on Resources: Subcommittee on Fisheries and Oceans held a hearing on the following bills: H.R. 1494, Electronic Duck Stamp Act of 2005; and H.R. 3179, Junior Duck Stamp Reauthorization Amendments Act of 2005. Testimony was heard from Paul R. Schmidt, Assistant Director, Migratory Birds, U.S. Fish and Wildlife Service, Department of the Interior; and public witnesses.

U.S. COMPETITIVENESS

Committee on Science: Held a hearing on U.S. Competitiveness: The Innovation Challenge. Testimony was heard from public witnesses.

OVERSIGHT—RAILROAD GRADE CROSSING SAFETY ISSUES

Committee on Transportation and Infrastructure: Subcommittee on Railroads held an oversight hearing on Railroad Grade Crossing Safety Issues. Testimony was heard from Senator Vitter; Representative Kucinich; the following officials of the Department of Transportation: Joseph Boardman, Administrator, Federal Railroad Administration; and Kenneth M. Mead, Inspector General; Mark V. Rosenker, Acting Chairman, National Transportation Safety Board; and public witnesses.

OVERSIGHT—VETERANS HEALTH CARE BUDGET AMENDMENT

Committee on Veterans' Affairs: Held an oversight hearing on the amendment the Administration submitted to Congress for the Department of Veterans Affairs Fiscal Year 2006 budget, requesting an additional $1.977 billion for higher-than-expected veterans' health care needs. Testimony was heard from Jonathan B. Perlin, M.D., Under Secretary, Health, Department of Veterans Affairs.

MEDICARE—PHYSICIAN VALUE-BASED PURCHASING

Committee on Ways and Means: Subcommittee on Health held a hearing on Value-Based Purchasing for Physicians under Medicare. Testimony was heard from Mark McClellan, M.D., Administrator, Centers for Medicare and Medicaid Services, Department of Health and Human Services; and public witnesses.

Joint Meetings

ENERGY POLICY ACT

Conferees continued in evening session to resolve the differences between the Senate and House passed versions of H.R. 6, to ensure jobs for our future with secure, affordable, and reliable energy.

Friday, July 22, 2005

Senate

Chamber Action

Routine Proceedings, pages 17093–17145

Measures Introduced: Thirteen bills and four resolutions were introduced, as follows: S. 1464–1476, S. Res. 205–206, and S. Con. Res. 45–46. **Page 17124**

Measures Reported:

S. 1389, to reauthorize and improve the USA PATRIOT Act, with an amendment in the nature of a substitute. **Page 17124**

Measures Passed:

Honoring Constantino Brumidi: Senate agreed to S. Res. 205, honoring the life and legacy of Constantino Brumidi and recognizing his contributions to the United States on the 200th anniversary of his birth. **Page 17143**

Department of Defense Authorization: Senate continued consideration of S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, taking action on the following amendments proposed thereto: **Pages 17095, 17144**

Adopted:

Warner (for Allen) Amendment No. 1343, to increase the limit on the value of assistance that may be provided to eligible entities to carry out procurement technical assistance programs operating on less than a Statewide basis. **Page 17117**

Warner (for Nelson (NE)) Amendment No. 1430, to clarify certain authorities relating to adoptions by members of the Armed Forces. **Page 17117**

Warner (for Sessions/Reed) Amendment No. 1431, to require a Comptroller General study on the features of successful personnel management systems of highly technical and scientific workforces. **Page 17117**

Warner (for Enzi/Kennedy) Amendment No. 1432, to extend the effective date of the Higher Education Relief Opportunities for Students Act of 2003. **Page 17118**

Pending:

Frist Modified Amendment No. 1342, to support certain youth organizations, including the Boy Scouts of America and Girl Scouts of America. **Pages 17095, 17144**

Inhofe Amendment No. 1311, to protect the economic and energy security of the United States. **Page 17095**

Inhofe/Collins Amendment No. 1312, to express the sense of Congress that the President should take immediate steps to establish a plan to implement the recommendations of the 2004 Report to Congress of the United States-China Economic and Security Review Commission. **Page 17095**

Inhofe/Kyl Amendment No. 1313, to require an annual report on the use of United States funds with respect to the activities and management of the International Committee of the Red Cross. **Page 17095**

Lautenberg Amendment No. 1351, to stop corporations from financing terrorism. **Page 17095**

Ensign Amendment No. 1374, to require a report on the use of riot control agents. **Page 17095**

Ensign Amendment No. 1375, to require a report on the costs incurred by the Department of Defense in implementing or supporting resolutions of the United Nations Security Council. **Page 17095**

Collins Amendment No. 1377 (to Amendment No. 1351), to ensure that certain persons do not evade or avoid the prohibition imposed under the International Emergency Economic Powers Act. **Page 17095**

Durbin Amendment No. 1379, to require certain dietary supplement manufacturers to report certain serious adverse events. **Page 17095**

Hutchison/Nelson (FL) Amendment No. 1357, to express the sense of the Senate with regard to manned space flight. **Page 17095**

Thune Amendment No. 1389, to postpone the 2005 round of defense base closure and realignment. **Page 17116**

Kennedy Amendment No. 1415, to transfer funds authorized to be appropriated to the Department of Energy for the National Nuclear Security Administration for weapons activities and available for the Robust Nuclear Earth Penetrator to the Army National Guard, Washington, District of Columbia, chapter. **Pages 17096, 17110**

Allard/McConnell Amendment No. 1418, to require life cycle cost estimates for the destruction of lethal chemical munitions under the Assembled Chemical Weapons Alternatives program. **Page 17106**

Allard/Salazar Amendment No. 1419, to authorize a program to provide health, medical, and life insurance benefits to workers at the Rocky Flats Environmental Technology Site, Colorado, who would otherwise fail to qualify for such benefits because of an early physical completion date. **Page 17107**

Dorgan Amendment No. 1426, to express the sense of the Senate on the declassification and release to the public of certain portions of the Report of the Joint Inquiry into the Terrorist Attacks of September 11, 2001, and to urge the President to release information regarding sources of foreign support for the hijackers involved in the terrorist attacks of September 11, 2001. **Page 17111**

Dorgan Amendment No. 1429, to establish a special committee of the Senate to investigate the awarding and carrying out of contracts to conduct activities in Afghanistan and Iraq and to fight the war on terrorism. **Page 17113**

Salazar Amendment No. 1421, to rename the death gratuity payable for deaths of members of the Armed Forces as fallen hero compensation. **Page 17114**

Salazar Amendment No. 1422, to provide that certain local educational agencies shall be eligible to receive a fiscal year 2005 payment under section 8002 or 8003 of the Elementary and Secondary Education Act of 1965. **Page 17114**

Salazar/Reed Amendment No. 1423, to provide for Department of Defense support of certain Paralympic sporting events. **Page 17114**

A unanimous-consent agreement was reached providing that on Tuesday, July 26, 2005, when the Senate resumes consideration of the Defense Authorization bill, notwithstanding the provisions of Rule 22, there be 20 minutes of debate divided between Senators Collins and Lautenberg; that following the use or yielding back of time, Senate proceed to a vote in relation to Collins Amendment No. 1377 (to Amendment No. 1351), to be modified to become a first-degree amendment, followed by a vote in relation to Lautenberg Amendment No. 1351, to stop corporations from financing terrorism; provided further, that no second-degree amendments be in order to the above listed amendments prior to the vote. **Page 17118**

A motion was entered to close further debate on the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Tuesday, July 26, 2005. **Page 17118**

A unanimous-consent agreement was reached providing that following the 2 stacked votes on Tuesday, July 26, 2005, Senate proceed to a vote in relation to Frist Modified Amendment No. 1342 (listed above); provided further, that no second-degree amendments be in order to the amendment prior to the vote, and notwithstanding the provision of Rule 22. **Page 17144**

A unanimous-consent agreement was reached providing that on Monday, July 25, 2005, Senators have until 2 p.m. in order to file first-degree amendments to the bill. **Page 17144**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 1:30 p.m., on Monday, July 25, 2005. **Page 17144**

Protection of Lawful Commerce in Arms Act: Senate began consideration of the motion to proceed to consideration of S. 397, to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages, injunctive or other relief resulting from the misuse of their products by others. **Page 17119**

A motion was entered to close further debate on the motion to proceed to consideration of the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Tuesday, July 26, 2005. **Page 17119**

Subsequently, the motion to proceed was withdrawn. **Page 17119**

Americans With Disabilities Act Commemoration—Agreement: A unanimous-consent-time agreement was reached providing that at 1 p.m. on Monday, July 25, 2005, Senate begin consideration of a resolution commemorating the 15th anniversary of the Americans With Disabilities Act; that there be no amendments in order to the preamble or resolution; that there be 30 minutes of debate at 1 p.m., and 30 minutes of debate at 5 p.m., equally divided between the Majority Leader, or his designee, and Senator Harkin, or his designee; and that following the use or yielding back of time, Senate vote on the resolution at approximately 5:30 p.m. **Page 17143**

Nominations Confirmed: Senate confirmed the following nominations:

Brian David Miller, of Virginia, to be Inspector General, General Services Administration.

David A. Sampson, of Texas, to be Deputy Secretary of Commerce.

Suzanne C. DeFrancis, of Maryland, to be an Assistant Secretary of Health and Human Services.

Alex Azar II, of Maryland, to be Deputy Secretary of Health and Human Services.

Charles E. Johnson, of Utah, to be an Assistant Secretary of Health and Human Services.

John J. Sullivan, of Maryland, to be General Counsel of the Department of Commerce.

Mark A. Limbaugh, of Idaho, to be an Assistant Secretary of the Interior.

Edmund S. Hawley, of California, to be an Assistant Secretary of Homeland Security.

William Alan Jeffrey, of Virginia, to be Director of the National Institute of Standards and Technology.

Kathie L. Olsen, of Oregon, to be Deputy Director of the National Science Foundation.

Rebecca F. Dye, of North Carolina, to be a Federal Maritime Commissioner for a term expiring June 30, 2010.

Routine lists in the Coast Guard. **Page 17145**

Nominations Received: Senate received the following nominations:

Roel C. Campos, of Texas, to be a Member of the Securities and Exchange Commission for a term expiring June 5, 2010.

Annette L. Nazareth, of the District of Columbia, to be a Member of the Securities and Exchange Commission for the remainder of the term expiring June 5, 2007.

Martin J. Gruenberg, of Maryland, to be Vice Chairperson of the Board of Directors of the Federal Deposit Insurance Corporation.

Martin J. Gruenberg, of Maryland, to be a Member of the Board of Directors of the Federal Deposit Insurance Corporation for the remainder of the term expiring December 27, 2006. **Page 17145**

Messages From the House: Page 17124

Measures Placed on Calendar: Page 17124

Additional Cosponsors: Page 17125

Statements on Introduced Bills/Resolutions: Page 17126

Additional Statements: Page 17123

Amendments Submitted: Page 17133

Authority for Committees to Meet: Page 17143

Adjournment: Senate convened at 10:01 a.m., and adjourned at 2:10 p.m. until 1 p.m., on Monday, July 25, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 17144.)

Committee Meetings

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Karen P. Hughes, of Texas, to be Under Secretary of State for Public Diplomacy, with the rank of Ambassador, who was introduced by Senators Hutchison and Cornyn, Josette Sheeran Shiner, of Virginia, to be Under Secretary of State for Economic, Business, and Agricultural Affairs, Kristen Silverberg, of Texas, to be Assistant Secretary of State for International Organization Affairs, and Jendayi Elizabeth Frazer, of Virginia, to be Assistant Secretary of State for African Affairs, after the nominees testified and answered questions in their own behalf.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 11 public bills, H.R. 3402–3412; and 4 resolutions, H. Con. Res. 216–217; and H. Res. 376–377 were introduced. Page 17091

Additional Cosponsors: Page 17091

Reports Filed: H.R. 513, to amend the Federal Election Campaign Act of 1971 to clarify when organizations described in section 527 of the Internal Revenue Code of 1986 must register as political committees, and for other purposes (H. Rept. 109–181). Page 17091

National Aeronautics and Space Administration Authorization Act of 2005: The House passed H.R. 3070, to reauthorize the human space flight, aeronautics, and science programs of the National Aeronautics and Space Administration, by a recorded vote of 383 ayes to 15 noes, Roll no. 416. Page 17044

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Science now printed in the bill is considered as an original bill for the purpose of amendment. Page 17056

Agreed to:

Boehlert Manager's amendment (No. 1 printed in H. Rept. 109–179) changes a number of provisions in the bill, and makes a number of technical and clarifying changes; Page 17067

Velázquez amendment (No. 2 printed in H. Rept. 109–179) that requires the NASA Administrator to submit a quarterly report on the NASA Office of Small and Disadvantaged Business Utilization; Page 17070

Jackson-Lee amendment (No. 6 printed in H. Rept. 109–179) that requires the NASA Administrator to transmit a plan describing steps NASA will take to protect employees who do raise or have raised a potentially catastrophic risk to health or safety; Page 17075

Rejected:

Velázquez amendment (No. 4 printed in H. Rept. 109–179) that sought to establish a four-year pilot grant program allowing NASA to expand advanced research opportunities through minority-serving institutions (by a recorded vote of 192 ayes to 206 noes, Roll No. 415); Pages 17074, 17077

Withdrawn:

Jackson-Lee amendment (No. 3 printed in H. Rept. 109–179), that was offered and subsequently withdrawn, that sought to restore funding for Historically Black Colleges and Universities, and Hispanic Serving Institutions under NASA education programs; Page 17071

Agreed that the Clerk be authorized to make technical and conforming changes in the engrossment of the bill to reflect the actions of the House. Page 17078

H. Res. 370, the rule providing for consideration of the bill was agreed to by voice vote. Page 17041

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at 12:30 on Monday, July 25 for morning hour debate. Page 17080

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, July 27. Page 17080

Sense of Congress regarding the Soviet Union's occupation and annexation of Baltic countries from 1940 to 1991: The House agreed to H. Con. Res. 128, expressing the sense of Congress that the Government of the Russian Federation should issue a clear and unambiguous statement of admission and condemnation of the illegal occupation and annexation by the Soviet Union from 1940 to 1991 of the Baltic countries of Estonia, Latvia, and Lithuania. Page 17080

Agreed to the McCotter amendment to the preamble of the measure. Page 17081

Quorum Calls—Votes: Two recorded votes developed during the proceedings of today and appear on pages 17077–78. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 1:39 p.m.

Committee Meetings

COLLEGE ACCESS AND OPPORTUNITY ACT

Committee on Education and the Workforce: Ordered reported, as amended, H.R. 690, College Access and Opportunity Act.

◆◆◆◆◆◆◆◆◆◆◆◆

Monday, July 25, 2005

Senate

Chamber Action

Routine Proceedings, pages 17208–17342

Measures Introduced: Three bills and four resolutions were introduced, as follows: S. 1477–1479, and S. Res. 207–210. **Page 17269**

Measures Reported:

S. 1420, to amend the Federal Food, Drug, and Cosmetic Act with respect to medical device user fees, with an amendment in the nature of a substitute. (S. Rept. No. 109–107) **Page 17269**

Measures Passed:

Americans with Disabilities Act Commemoration: By a unanimous vote of 87 yeas (Vote No. 201), Senate agreed to S. Res. 207, recognizing and honoring the 15th anniversary of the enactment of the Americans with Disabilities Act of 1990. **Pages 17208, 17246**

Egypt Bombings: Senate agreed to S. Res. 210, expressing sympathy for the people of Egypt in the aftermath of the deadly terrorist attacks of Sharm el-Sheik, Egypt on July 23, 2005. **Page 17341**

Department of Defense Authorization: Senate resumed consideration of S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, taking action on the following amendments proposed thereto: **Pages 17213, 17248**

Withdrawn:

Inhofe/Collins Amendment No. 1312, to express the sense of Congress that the President should take immediate steps to establish a plan to implement the recommendations of the 2004 Report to Congress of the United States-China Economic and Security Review Commission. **Pages 17213, 17226**

Pending:

Frist Modified Amendment No. 1342, to support certain youth organizations, including the Boy Scouts of America and Girl Scouts of America. **Pages 17213, 17248**

Inhofe Amendment No. 1311, to protect the economic and energy security of the United States. **Page 17213**

Inhofe/Kyl Amendment No. 1313, to require an annual report on the use of United States funds with respect to the activities and management of the International Committee of the Red Cross. **Pages 17213, 17224**

Lautenberg Amendment No. 1351, to stop corporations from financing terrorism. **Page 17213**

Ensign Amendment No. 1374, to require a report on the use of riot control agents. **Page 17213**

Ensign Amendment No. 1375, to require a report on the costs incurred by the Department of Defense in implementing or supporting resolutions of the United Nations Security Council. **Page 17213**

Collins Amendment No. 1377 (to Amendment No. 1351), to ensure that certain persons do not evade or avoid the prohibition imposed under the International Emergency Economic Powers Act. **Page 17213**

Durbin Amendment No. 1379, to require certain dietary supplement manufacturers to report certain serious adverse events. **Page 17213**

Hutchison/Nelson (FL) Amendment No. 1357, to express the sense of the Senate with regard to manned space flight. **Page 17213**

Thune Amendment No. 1389, to postpone the 2005 round of defense base closure and realignment. **Page 17213**

Kennedy Amendment No. 1415, to transfer funds authorized to be appropriated to the Department of Energy for the National Nuclear Security Administration for weapons activities and available for the Robust Nuclear Earth Penetrator to the Army National Guard, Washington, District of Columbia, chapter. **Page 17213**

Allard/McConnell Amendment No. 1418, to require life cycle cost estimates for the destruction of lethal chemical munitions under the Assembled Chemical Weapons Alternatives program. **Page 17213**

Allard/Salazar Amendment No. 1419, to authorize a program to provide health, medical, and life insurance benefits to workers at the Rocky Flats Environmental Technology Site, Colorado, who would otherwise fail to qualify for such benefits because of an early physical completion date. **Pages 17213, 17228**

Dorgan Amendment No. 1426, to express the sense of the Senate on the declassification and release to the public of certain portions of the Report of the Joint Inquiry into the Terrorist Attacks of September 11, 2001, and to urge the President to release information regarding sources of foreign support for the hijackers involved in the terrorist attacks of September 11, 2001. **Pages 17213, 17226**

Dorgan Amendment No. 1429, to establish a special committee of the Senate to investigate the awarding and carrying out of contracts to conduct activities in Afghanistan and Iraq and to fight the war on terrorism. **Pages 17213, 17226**

Salazar Amendment No. 1421, to rename the death gratuity payable for deaths of members of the Armed Forces as fallen hero compensation. **Page 17213**

Salazar Amendment No. 1422, to provide that certain local educational agencies shall be eligible to receive a fiscal year 2005 payment under section 8002 or 8003 of the Elementary and Secondary Education Act of 1965. **Page 17213**

Salazar/Reed Amendment No. 1423, to provide for Department of Defense support of certain Paralympic sporting events. **Page 17213**

Collins (for Thune) Amendment No. 1489, to postpone the 2005 round of defense base closure and realignment. **Page 17214**

Collins (for Thune) Amendment No. 1490, to require the Secretary of the Air Force to develop and implement a national space radar system capable of employing at least two frequencies. **Page 17214**

Collins (for Thune) Amendment No. 1491, to prevent retaliation against a member of the Armed Forces for providing testimony about the military value of a military installation. **Page 17214**

Reed (for Levin) Amendment No. 1492, to make available, with an offset, an additional $50,000,000, for Operation and Maintenance for Cooperative Threat Reduction. **Pages 17215, 17230**

Hatch Amendment No. 1516, to express the sense of the Senate regarding the investment of funds as called for in the Depot Maintenance Strategy and Master Plan of the Air Force. **Page 17220**

Inhofe Amendment No. 1476, to express the sense of Congress that the President should take immediate steps to establish a plan to implement the recommendations of the 2004 Report to Congress of the United States-China Economic and Security Review Commission. **Page 17224**

Allard Amendment No. 1383, to establish a program for the management of post-project completion retirement benefits for employees at Department of Energy project completion sites. **Page 17228**

Allard/Salazar Amendment No. 1506, to authorize the Secretary of Energy to purchase certain essential mineral rights and resolve natural resource damage liability claims. **Page 17231**

McCain Modified Amendment No. 1557, to provide for uniform standards for the interrogation of persons under the detention of the Department of Defense. **Pages 17231, 17235, 17240**

Warner Amendment No. 1566, to provide for uniform standards and procedures for the interrogation of persons under the detention of the Department of Defense. **Page 17234**

McCain Modified Amendment No. 1556, to prohibit cruel, inhuman, or degrading treatment or punishment of persons under the custody or control of the United States Government. **Page 17239**

Stabenow/Johnson Amendment No. 1435, to ensure that future funding for health care for veterans takes into account changes in population and inflation. **Page 17243**

Murray Amendment No. 1348, to amend the assistance to local educational agencies with significant enrollment changes in military dependent students due to force structure changes, troop relocations, creation of new units, and realignment under BRAC. **Page 17243**

Murray Amendment No. 1349, to facilitate the availability of child care for the children of members of the Armed Forces on active duty in connection with Operation Enduring Freedom or Operation Iraqi Freedom and to assist school districts serving large numbers or percentages of military dependent children affected by the war in Iraq or Afghanistan, or by other Department of Defense personnel decisions. **Page 17244**

Levin Amendment No. 1494, to establish a national commission on policies and practices on the treatment of detainees since September 11, 2001. **Page 17245**

Hutchison Amendment No. 1477, to make oral and maxillofacial surgeons eligible for special pay for Reserve health professionals in critically short wartime specialties. **Page 17248**

Graham/McCain Modified Amendment No. 1505, to authorize the President to utilize the Combatant Status Review Tribunals and Annual Review Board to determine the status of detainees held at Guantanamo Bay, Cuba. **Page 17253**

Nelson (FL) Amendment No. 762, to repeal the requirement for the reduction of certain Survivor Benefit Plan annuities by the amount of dependency and indemnity compensation and to modify the effective date for paid-up coverage under the Survivor Benefit Plan. **Page 17256**

Durbin Amendment No. 1428, to authorize the Secretary of the Air Force to enter into agreements with St. Clair County, Illinois, for the purpose of constructing joint administrative and operations structures at Scott Air Force Base, Illinois. **Page 17258**

Durbin Amendment No. 1571, to ensure that a Federal employee who takes leave without pay in order to perform service as a member of the uniformed services or member of the National Guard shall continue to receive pay in an amount which, when taken together with the pay and allowances such individual is receiving for such service, will be no less than the basic pay such individual would then be receiving if no interruption in employment had occurred. **Page 17258**

Levin Amendment No. 1496, to prohibit the use of funds for normalizing relations with Libya pending resolution with Libya of certain claims relating to the bombing of the LaBelle Discotheque in Berlin, Germany. **Page 17259**

Levin Amendment No. 1497, to establish limitations on excess charges under time-and-materials contracts and labor-hour contracts of the Department of Defense. **Page 17260**

Levin (for Harkin/Dorgan) Amendment No. 1425, relating to the American Forces Network. **Page 17264**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:45 a.m., on Tuesday, July 26, 2005; provided further, that the filing deadline for second-degree amendments be at 11 a.m. **Page 17342**

Appointment:

U.S. Commission on International Religious Freedom: The Chair, on behalf of the President pro tempore, upon the recommendation of the Majority Leader, pursuant to Public Law 105–292, as amended by Public Law 106–55, and as further amended by Public Law 107–228, appointed the following individual to the United States Commission on International Religious Freedom: Dr. Richard D. Land of Tennessee, for a term of two years (July 25, 2005–July 24, 2007). **Page 17342**

Nominations Received: Senate received the following nominations:

Darlene F. Williams, of Texas, to be an Assistant Secretary of Housing and Urban Development.

Jennifer L. Dorn, of Nebraska, to be United States Alternate Executive Director of the International Bank for Reconstruction and Development for a term of two years.

C. Boyden Gray, of the District of Columbia, to be Representative of the United States of America to the European Union, with the rank and status of Ambassador.

Richard Henry Jones, of Nebraska, to be Ambassador to Israel.

Francis Joseph Ricciardone, Jr., of New Hampshire to be Ambassador to the Arab Republic of Egypt.

Martin J. Gruenberg, of Maryland, to be a Member of the Board of Directors of the Federal Deposit Insurance Corporation for a term expiring December 27, 2012. **Page 17342**

Messages From the House: **Page 17267**

Measures Referred: **Page 17267**

Executive Communications: **Page 17267**

Additional Cosponsors: **Page 17269**

Statements on Introduced Bills/Resolutions: **Page 17271**

Additional Statements: **Page 17266**

Amendments Submitted: **Page 17277**

Privilege of the Floor: **Page 17341**

Record Votes: One record vote was taken today. (Total—201) **Page 17247**

Adjournment: Senate convened at 1:01 p.m., and adjourned at 8:25 p.m. until 9:45 a.m., on Tuesday, July 26, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 17342.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 13 public bills, H.R. 3413–3425; and 3 resolutions, H. Res. 378, 381–382 were introduced. **Page 17205**

Additional Cosponsors: **Page 17206**

Reports Filed: Reports were filed today as follows;

H.R. 3045, to implement the Dominican Republic-Central America-United States Free Trade Agreement (Rept. 109–182);

H. Res. 379, providing for consideration of the bill (H.R. 525) to amend title I of the Employee Retirement Income Security Act of 1974 to improve access and choice for entrepreneurs with small businesses with respect to medical care for their employees (Rept. 109–183); and

H. Res. 380, providing for consideration of the bill (H.R. 22) to reform the postal laws of the United States (Rept. 109–184). **Page 17205**

Speaker: Read a letter from the Speaker wherein he appointed Representative Conaway to act as Speaker Pro Tempore for today. **Page 17155**

Recess: The House recessed at 12:49 p.m. and reconvened at 2 p.m. **Page 17157**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Expressing the sense of Congress regarding the establishment of a day to commemorate woman suffragists: H.J. Res. 59, amended, expressing the sense of Congress with respect to the establishment of an appropriate day for the commemoration of the women suffragists who fought for and won the right of women to vote in the United States, by a ⅔ yea-and-nay vote of 378 yeas with none voting "nay", Roll No. 417; **Pages 17159, 17179**

Agreed to amend the title so as to read "joint resolution expressing the sense of Congress with respect to the woman suffragists who fought for and won the right of women to vote in the United States." **Page 17180**

Supporting the goals and ideals of National Life Insurance Awareness Month: H. Con. Res. 181, amended, supporting the goals and ideals of National Life Insurance Awareness Month, by a ⅔ yea-and-nay vote of 377 yeas to 4 nays, Roll No. 418; **Pages 17161, 17180**

Honoring former President William Jefferson Clinton on the occasion of his 59th birthday: H. Res. 329, honoring former President William Jefferson Clinton on the occasion of his 59th birthday; Page 17162

Supporting the goals and ideals of the National Health Center Week: H. Res. 289, amended, supporting the goals and ideals of National Health Center Week in order to raise awareness of health services provided by community, migrant, public housing, and homeless health centers; Page 17164

Supporting the goals of "A Day of Commemoration of the Great Upheaval": H. Res. 294, supporting the goals of "A Day of Commemoration of the Great Upheaval"; Page 17165

Boone Pickens Post Office Building Designation Act: S. 775, designating the facility of the United States Postal Service located at 123 W. 7th Street in Holdenville, Oklahoma, as the "Boone Pickens Post Office"—clearing the measure for the President; Page 17168

Congresswoman Shirley A. Chisholm Post Office Building Designation Act: S. 571, designating the facility of the United States Postal Service located at 1915 Fulton Street in Brooklyn, New York, as the "Congresswoman Shirley A. Chisholm Post Office Building"—clearing the measure for the President; Page 17169

Spokane Tribe of Indians of the Spokane Reservation Grand Coulee Dam Equitable Compensation Settlement Act: H.R. 1797, providing for equitable compensation to the Spokane Tribe of Indians of the Spokane Reservation for the use of tribal land for the production of hydropower by the Grand Coulee Dam; Page 17171

Expressing the sense of the House of Representatives that the FTC should investigate the publication of the video game "Grand Theft Auto: San Andreas": H. Res. 376, amended, expressing the sense of the House of Representatives that the Federal Trade Commission should investigate the publication of the video game "Grand Theft Auto: San Andreas" to determine if the publisher intentionally deceived the Entertainment Software Ratings Board to avoid an "Adults-Only" rating, by a ⅔ yea-and-nay vote of 355 yeas to 21 nays with 1 voting "present", Roll. No. 419. Pages 17175, 17181

Agreed to amend the title so as to read "Expressing the sense of the House of Representatives that the Federal Trade Commission should investigate the publication of the video game 'Grand Theft Auto: San Andreas' to determine if the publisher deceived the Entertainment Software Ratings Board to avoid an 'Adults-Only' rating." Page 17181

Moment of Silence: The House observed a moment of silence in remembrance of Officer Jacob J. Chestnut and Detective John M. Gibson of the United States Capitol Police who were killed in the line of duty defending the Capitol against an intruder armed with a gun on July 24, 1998. Page 17180

Suspension—Proceeding Postponed: The House completed debate on the following measure under suspension of the rules. Further consideration will continue at a later date.

Paul Kasten Post Office Building Designation Act: H.R. 2977, designating the facility of the United States Postal Service located at 306 2nd Avenue in Brockway, Montana, as the "Paul Kasten Post Office Building"; Page 17167

Abraham Lincoln Birthplace Post Office Building Designation Act: H.R. 2894, designating the facility of the United States Postal Service located at 102 South Walters Avenue in Hodgenville, Kentucky, as the "Abraham Lincoln Birthplace Post Office Building"; Page 17167

James T. Malloy Post Office Building Designation Act: H.R. 3339, designating the facility of the United States Postal Service located at 2061 South Park Avenue in Buffalo, New York, as the "James T. Molloy Post Office Building"; and Page 17170

Supporting the goals of National Marina Day: H. Res. 308, supporting the goals of National Marina Day and urging marinas continue providing environmentally friendly gateways to boating. Page 17174

Recess: The House recessed at 3:47 p.m. and reconvened at 6:30 p.m. Page 17179

Quorum Calls—Votes: 3 yea-and-nay votes developed during the proceedings of today and appear on pages 17179–81. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 10:29 p.m.

Committee Meetings

HOMELAND SECURITY DEPARTMENT REVIEW

Committee on Homeland Security: Concluded hearings entitled "The Secretary's Second-State Review: Re-thinking the Department of Homeland Security's Organization and Policy Direction." Testimony was heard from Michael Chertoff, Secretary of Homeland Security.

POSTAL ACCOUNTABILITY AND ENHANCEMENT ACT

Committee on Rules: Granted, by voice vote, a structured rule providing one hour of general debate on H.R. 22, Postal Accountability and Enhancement Act, equally divided and controlled by the chairman and ranking minority member of the Committee on Government Reform. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Government Reform now printed in the bill shall be considered as an original bill for the purpose of amendment. The rule waives all points of order against the amendment in the nature of a substitute recommended by the Committee on Government Reform. The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution, and provided that those amendments may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Tom Davis of Virginia and Representatives McHugh and Waxman.

SMALL BUSINESS HEALTH FAIRNESS ACT OF 2005

Committee on Rules: Granted, by voice vote, a structured rule providing one hour of debate in the House on H.R. 525, Small Business Health Fairness Act of 2005, equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce. The rule waives all points of order against consideration of the bill. The rule makes in order the amendment in the nature of a substitute printed in the Rules Committee report accompanying the resolution, if offered by Representative Kind of Wisconsin or his designee, which shall be considered and read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent. The rule waives all points of order against the amendment printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Boehner and Representatives Johnson of Texas, Andrews, Kind, Tierney, Van Hollen, Holt and Woolsey.

FREEDOM OF CONSCIENCE FOR SMALL PHARMACIES

Committee on Small Business: Held a hearing entitled "Freedom of Conscience for Small Pharmacies." Testimony was heard from Sheila Nix, Senior Advisor, Governor Rod Blagojevich of Illinois; and public witnesses.

Joint Meetings

ENERGY POLICY ACT

Conferees continued in evening session to resolve the differences between the Senate and House passed versions of H.R. 6, to ensure jobs for our future with secure, affordable, and reliable energy.

◆ ◆ ◆

Tuesday, July 26, 2005

Senate

Chamber Action

Routine Proceedings, pages 17357–17523

Measures Introduced: Twenty-four bills and six resolutions were introduced, as follows: S. 1280–1503, S.J. Res. 21, S. Res. 211–214, and S. Con. Res. 47. **Page 17410**

Measures Reported:

S. 1281, to authorize appropriations for the National Aeronautics and Space Administration for science, aeronautics, exploration, exploration capabilities, and the Inspector General, for fiscal years 2006, 2007, 2008, 2009, and 2010, with amendments. (S. Rept. No. 109–108)

H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, with an amendment in the nature of a substitute. (S. Rept. No. 109–109) **Page 17409**

Measures Passed:

Soda Ash Royalty Reduction Act: Senate passed S. 203, to reduce temporarily the royalty required to be paid for sodium produced, to establish certain National Heritage Areas, after agreeing to the following amendments proposed thereto: **Page 17482**

Collins (for Domenici) Amendment No. 1583, in the nature of a substitute.

Collins (for Domenici) Amendment No. 1584, to amend the title. **Page 17482**

Pecos National Historical Park Land Exchange Act: Senate passed S. 47, to provide for the exchange of certain Federal land in the Santa Fe National Forest; and certain non-Federal land in the Pecos National Historical Park in the State of New Mexico. **Page 17483**

Rim of the Valley Corridor Study Act: Senate passed S. 153, to direct the Secretary of the Interior to conduct a resource study of the Rim of the Valley Corridor in the State of California to evaluate alternatives for protecting the resources of the Corridor. **Page 17483**

Valles Caldera Preservation Act: Senate passed S. 212, to amend the Valles Caldera Preservation Act to improve the preservation of the Valles Caldera. **Page 17484**

Federal Land Recreational Visitor Protection Act: Senate passed S. 225, to direct the Secretary of Agriculture to undertake a program to reduce the risks from and mitigate the effects of avalanches on recreational users of public land, after agreeing to the committee amendment in the nature of a substitute and an amendment to the title. **Page 17484**

Ojito Wilderness Act: Senate passed S. 156, to designate the Ojito Wilderness Study Area as wilderness, to take certain land into trust for the Pueblo of Zia, after agreeing to the committee amendments. **Page 17486**

New Mexico Water Planning Assistance Act: Senate passed S. 178, to provide assistance to the State of New Mexico for the development of comprehensive State water plans. **Page 17488**

United States-Mexico Transboundary Aquifer Assessment Act: Senate passed S. 214, to authorize the Secretary of the Interior to cooperate with the States on the border with Mexico and other appropriate entities in conducting a hydrogeologic characterization, mapping, and modeling program for priority transboundary aquifers, after agreeing to the following amendment proposed thereto: **Page 17489**

Collins (for Bingaman/Domenici) Amendment No. 1585, to designate the San Pedro aquifers as priority transboundary aquifers. **Page 17490**

Albuquerque Biological Park Title Clarification Act: Senate passed S. 229, to clear title to certain real property in New Mexico associated with the Middle Rio Grande Project. **Page 17491**

Rocky Mountain National Park Boundary Adjustment Act: Senate passed S. 55, to adjust the boundary of Rocky Mountain National Park in the State of Colorado. **Page 17491**

Wind Cave National Park Boundary Revision Act: Senate passed S. 276, to revise the boundary of the Wind Cave National Park in the State of South Dakota. **Page 17491**

Upper Connecticut River Partnership Act: Senate passed S. 301, to authorize the Secretary of the Interior to provide assistance in implementing cultural heritage, conservation, and recreational activities in the Connecticut River watershed of the States of New Hampshire and Vermont, after agreeing to the committee amendment. **Page 17492**

Buffalo Soldiers Commemoration Act: Senate passed S. 205, to authorize the American Battle Monuments Commission to establish in the State of Louisiana a memorial to honor the Buffalo Soldiers, after agreeing to the committee amendment. **Page 17493**

Jean Lafitte National Historical Park and Preserve Boundary Adjustment Act: Senate passed S. 207, to adjust the boundary of the Barataria Preserve Unit of the Jean Lafitte National Historical Park and Preserve in the State of Louisiana. **Page 17493**

National Heritage Partnership Act: Senate passed S. 243, to establish a program and criteria for National Heritage Areas in the United States, after agreeing to the following amendment proposed thereto: **Page 17494**

Collins (for Domenici) Amendment No. 1586, in the nature of a substitute. **Page 17496**

Wild Sky Wilderness Act: Senate passed S. 152, to enhance ecosystem protection and the range of outdoor opportunities protected by statute in the Skykomish River valley of the State of Washington by designating certain lower-elevation Federal lands as wilderness, after agreeing to the committee amendments. **Page 17496**

Alaska Hydroelectric Project: Senate passed S. 176, to extend the deadline for commencement of construction of a hydroelectric project in the State of Alaska. **Page 17497**

Wallowa Lake Dam Rehabilitation and Water Management Act: Senate passed S. 231, to authorize the Bureau of Reclamation to participate in the rehabilitation of the Wallowa Lake Dam in Oregon. **Page 17498**

Fish Passage and Screening Facilities: Senate passed S. 232, to authorize the Secretary of the Interior, acting through the Bureau of Reclamation, to assist in the implementation of fish passage and screening facilities at non-Federal water projects. **Page 17498**

Wyoming Hydroelectric Project: Senate passed S. 244, to extend the deadline for commencement of construction of a hydroelectric project in the State of Wyoming. **Page 17499**

Hawaii Water Resources Act: Senate passed S. 264, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize certain projects in the State of Hawaii, after agreeing to the following amendment proposed thereto: **Page 17499**

Collins (for Domenici) Amendment No. 1587, to make certain technical corrections. **Page 17499**

Caribbean National Forest Act: Senate passed S. 272 to designate certain National Forest System land in the Commonwealth of Puerto Rico as a component of the National Wilderness Preservation System, after agreeing to the committee amendments and an amendment to the title. **Page 17500**

Paleontological Resources Preservation Act: Senate passed S. 263, to provide for the protection of paleontological resources on Federal lands, after agreeing to the committee amendments. **Page 17500**

Big Horn Bentonite Act: Senate passed S. 97, to provide for the sale of bentonite in Big Horn County, Wyoming. **Page 17504**

Dandini Research Park Conveyance Act: Senate passed S. 252, to direct the Secretary of the Interior to convey certain land in Washoe County, Nevada, to the Board of Regents of the University and Community College System of Nevada. **Page 17504**

Edward H. McDaniel American Legion Post No. 22 Land Conveyance Act: Senate passed S. 253, to direct the Secretary of the Interior to convey certain land to the Edward H. McDaniel American Legion Post No. 22 in Pahrump, Nevada, for the construction of a post building and memorial park for use by the American Legion, other veterans' groups, and the local community, after agreeing to the committee amendments. **Page 17505**

Northern Arizona Land Exchange and Verde River Basin Partnership Act: Senate passed S. 161, to provide for a land exchange in the State of Arizona between the Secretary of Agriculture and Yavapai Ranch Limited Partnership. **Page 17505**

Uintah Research and Curatorial Center Act: Senate passed S. 182, to provide for the establishment of the Uintah Research and Curatorial Center for Dinosaur National Monument in the States of Colorado and Utah, after agreeing to the committee amendment. **Page 17508**

Beaver County, Utah Land Conveyance: Senate passed S. 52, to direct the Secretary of the Interior to convey a parcel of real property to Beaver County, Utah. **Page 17509**

National Historic Trails Studies: Senate passed S. 54, to amend the National Trails System Act to require the Secretary of the Interior to update the feasibility and suitability studies of four national historic trails, after agreeing to the committee amendments. **Page 17509**

Rio Grande Natural Area Act: Senate passed S. 56, to establish the Rio Grande Natural Area in the State of Colorado. **Page 17510**

Wyoming Land Conveyance: Senate passed S. 101, to convey to the town of Frannie, Wyoming, certain land withdrawn by the Commissioner of Reclamation. **Page 17512**

Northern California Coastal Wild Heritage Wilderness Act: Senate passed S. 128, to designate certain public land in Humboldt, Del Norte, Mendocino, Lake, and Napa Counties in the State of California as wilderness, to designate certain segments of the Black Butte River in Mendocino County, California as a wild or scenic river, after agreeing to the following amendment proposed thereto: **Page 17512**

Collins (for Domenici) Amendment No. 1588, in the nature of a substitute. **Page 17514**

Rancho Corral de Tierra Golden Gate National Recreation Area Boundary Adjustment Act: Senate passed S. 136, to authorize the Secretary of the Interior to provide supplemental funding and other services that are necessary to assist certain local school districts in the State of California in providing educational services for students attending schools located within Yosemite National Park, to authorize the Secretary of the Interior to adjust the boundaries of the Golden Gate National Recreation Area, and to adjust the boundaries of Redwood National Park, after agreeing to the committee amendments, and the following amendments proposed thereto: **Page 17514**

Collins (for Domenici) Amendment No. 1589, in the nature of a substitute. **Page 17515**

Collins (for Domenici) Amendment No. 1590, to amend the title. **Page 17516**

Wyoming Water Project: Senate passed H.R. 1046, to authorize the Secretary of the Interior to contract with the city of Cheyenne, Wyoming, for the storage of the city's water in the Kendrick Project, Wyoming, clearing the measure for the President. **Page 17517**

Upper White Salmon Wild and Scenic Rivers Act: Committee on Energy and Natural Resources was discharged from further consideration of H.R. 38, to designate a portion of the White Salmon River as a component of the National Wild and Scenic Rivers System, and the bill was then passed, clearing the measure for the President. **Page 17518**

Sand Creek Massacre National Historic Site Trust Act: Committee on Energy and Natural Resources was discharged from further consideration of H.R. 481, to further the purposes of the Sand Creek Massacre National Historic Site Establishment Act of 2000, and the bill was then passed, clearing the measure for the President. **Page 17518**

Lander County, Nevada Land Conveyance: Committee on Energy and Natural Resources was discharged from further consideration of H.R. 541, to direct the Secretary of Agriculture to convey certain land to Lander County, Nevada, and the Secretary of the Interior to convey certain land to Eureka County, Nevada, for continued use as cemeteries, and the bill was then passed, clearing the measure for the President. **Page 17518**

Indian Rental Proceeds: Senate passed S. 1480, to establish the treatment of actual rental proceeds from leases of land acquired under an Act providing for loans to Indian tribes and tribal corporations. **Pages 17518, 17520**

Indian Land Probate Reform: Senate passed S. 1481, to amend the Indian Land Consolidation Act to provide for probate reform. **Pages 17518, 17521**

Indian Reservation Contracts: Senate passed S. 1482, to amend the Act of August 9, 1955, to provide for binding arbitration for Gila River Indian Community Reservation Contracts. **Pages 17518, 17519, 17521**

Indian Student Count Definition: Senate passed S. 1483, to amend the Carl D. Perkins Vocational and Technical Education Act of 1998 to modify the definition of "Indian student count." **Pages 17518, 17520, 17521**

Indian Water Rights: Senate passed S. 1484, to amend the Fallon Paiute Shoshone Indian Tribes Water Rights Settlement Act of 1990. **Pages 17518, 17520**

Indian Leases Authorization: Senate passed S. 1485, to amend the Act of August 9, 1955, to extend the authorization of certain leases. **Pages 17518, 17520**

Colorado River Indian Reservation Boundary Correction Act: Committee on Indian Affairs was discharged from further consideration of H.R. 794, to correct the south boundary of the Colorado River Indian Reservation in Arizona, and the bill was then passed, clearing the measure for the President. **Page 17521**

Prairie Island Land Conveyance Act: Committee on Indian Affairs was discharged from further consideration of S. 706, to convey all right, title, and interest of the United States in and to the land described in this Act to the Secretary of the Interior for the Prairie Island Indian Community in Minnesota, and the bill was then passed. **Page 17521**

Indian Criminal Jurisdiction: Committee on Indian Affairs was discharged from further consideration of S. 279, to amend the Act of June 7, 1924, to provide for the exercise of criminal jurisdiction, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Page 17521**

Collins (for Domenici/Bingaman) Amendment No. 1591, in the nature of a substitute. **Page 17521**

Children's Hospitals Educational Equity and Research Act: Senate passed S. 285, to reauthorize the Children's Hospitals Graduate Medical Education Program, after agreeing to the committee amendment in the nature of a substitute. **Page 17522**

Senate Legal Representation: Senate agreed to S. Res. 213, to authorize representation by the Senate Legal Counsel in the case of Keyter v. McCain, et al. **Page 17522**

Senate Legal Representation: Senate agreed to S. Res. 214, to authorize representation by the Senate Legal Counsel in the case of Jones v. Salt River Pima-Maricopa Indian Community, et al. **Page 17522**

Presidential Succession: Committee on Rules and Administration was discharged from further consideration of S. 442, to provide for the Secretary of Homeland Security to be included in the line of Presidential succession, and the bill was then passed. **Page 17523**

Measures Indefinitely Postponed:

Upper White Salmon Wild and Scenic River Act: S. 74, to designate a portion of the White Salmon River as a component of the National Wild and Scenic Rivers System. **Page 17518**

Central Nevada Rural Cemeteries Act: S. 254, to direct the Secretary of Agriculture to convey certain land to Lander County, Nevada, and the Secretary of the Interior to convey certain land to Eureka County, Nevada, for continued use as cemeteries. **Page 17518**

Sand Creek Massacre National Historic Site Trust Act: S. 57, to further the purposes of the Sand Creek Massacre National Historic Site Establishment Act of 2000. **Page 17518**

Wyoming Water Project: S. 99, to authorize the Secretary of the Interior to contract with the city of Cheyenne, Wyoming, for the storage of the city's water in the Kendrick Project, Wyoming. **Page 17518**

Department of Defense Authorization: Senate continued consideration of S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, taking action on the following amendments proposed thereto: **Page 17357**

Adopted:

By a unanimous vote of 98 yeas (Vote No. 202), Collins Modified Amendment No. 1377, to ensure that certain persons do not evade or avoid the prohibition imposed under the International Emergency Economic Powers Act. **Page 17363**

By a unanimous vote of 98 yeas (Vote No. 204), Frist Modified Amendment No. 1342, to support certain youth organizations, including the Boy Scouts of America and Girl Scouts of America. **Page 17365**

Rejected:

By 47 yeas to 51 nays (Vote No. 203), Lautenberg Amendment No. 1351, to stop corporations from financing terrorism. **Page 17365**

Pending:

Inhofe Amendment No. 1311, to protect the economic and energy security of the United States. **Page 17357**

Inhofe/Kyl Amendment No. 1313, to require an annual report on the use of United States funds with respect to the activities and management of the International Committee of the Red Cross. **Page 17357**

Ensign Amendment No. 1374, to require a report on the use of riot control agents. **Page 17357**

Ensign Amendment No. 1375, to require a report on the costs incurred by the Department of Defense in implementing or supporting resolutions of the United Nations Security Council. **Page 17357**

Durbin Amendment No. 1379, to require certain dietary supplement manufacturers to report certain serious adverse events. **Page 17357**

Hutchison/Nelson (FL) Amendment No. 1357, to express the sense of the Senate with regard to manned space flight. **Page 17357**

Thune Amendment No. 1389, to postpone the 2005 round of defense base closure and realignment. **Page 17357**

Kennedy Amendment No. 1415, to transfer funds authorized to be appropriated to the Department of Energy for the National Nuclear Security Administration for weapons activities and available for the Robust Nuclear

Earth Penetrator to the Army National Guard, Washington, District of Columbia, chapter. **Page 17357**

Allard/McConnell Amendment No. 1418, to require life cycle cost estimates for the destruction of lethal chemical munitions under the Assembled Chemical Weapons Alternatives program. **Page 17357**

Allard/Salazar Amendment No. 1419, to authorize a program to provide health, medical, and life insurance benefits to workers at the Rocky Flats Environmental Technology Site, Colorado, who would otherwise fail to qualify for such benefits because of an early physical completion date. **Page 17357**

Dorgan Amendment No. 1426, to express the sense of the Senate on the declassification and release to the public of certain portions of the Report of the Joint Inquiry into the Terrorist Attacks of September 11, 2001, and to urge the President to release information regarding sources of foreign support for the hijackers involved in the terrorist attacks of September 11, 2001. **Page 17357**

Dorgan Amendment No. 1429, to establish a special committee of the Senate to investigate the awarding and carrying out of contracts to conduct activities in Afghanistan and Iraq and to fight the war on terrorism. **Page 17357**

Salazar Amendment No. 1421, to rename the death gratuity payable for deaths of members of the Armed Forces as fallen hero compensation. **Page 17357**

Salazar Amendment No. 1422, to provide that certain local educational agencies shall be eligible to receive a fiscal year 2005 payment under section 8002 or 8003 of the Elementary and Secondary Education Act of 1965. **Page 17357**

Salazar/Reed Amendment No. 1423, to provide for Department of Defense support of certain Paralympic sporting events. **Page 17357**

Collins (for Thune) Amendment No. 1489, to postpone the 2005 round of defense base closure and realignment. **Page 17357**

Collins (for Thune) Amendment No. 1490, to require the Secretary of the Air Force to develop and implement a national space radar system capable of employing at least two frequencies. **Page 17357**

Collins (for Thune) Amendment No. 1491, to prevent retaliation against a member of the Armed Forces for providing testimony about the military value of a military installation. **Page 17357**

Reed (for Levin) Amendment No. 1492, to make available, with an offset, an additional $50,000,000, for Operation and Maintenance for Cooperative Threat Reduction. **Page 17357**

Hatch Amendment No. 1516, to express the sense of the Senate regarding the investment of funds as called for in the Depot Maintenance Strategy and Master Plan of the Air Force. **Page 17357**

Inhofe Amendment No. 1476, to express the sense of Congress that the President should take immediate steps to establish a plan to implement the recommendations of the 2004 Report to Congress of the United States-China Economic and Security Review Commission. **Page 17357**

Allard Amendment No. 1383, to establish a program for the management of post-project completion retirement benefits for employees at Department of Energy project completion sites. **Page 17357**

Allard/Salazar Amendment No. 1506, to authorize the Secretary of Energy to purchase certain essential mineral rights and resolve natural resource damage liability claims. **Page 17357**

McCain Modified Amendment No. 1557, to provide for uniform standards for the interrogation of persons under the detention of the Department of Defense. **Page 17357**

Warner Amendment No. 1566, to provide for uniform standards and procedures for the interrogation of persons under the detention of the Department of Defense. **Page 17357**

McCain Modified Amendment No. 1556, to prohibit cruel, inhuman, or degrading treatment or punishment of persons under the custody or control of the United States Government. **Page 17357**

Stabenow/Johnson Amendment No. 1435, to ensure that future funding for health care for veterans takes into account changes in population and inflation. **Page 17357**

Murray Amendment No. 1348, to amend the assistance to local educational agencies with significant enrollment changes in military dependent students due to force structure changes, troop relocations, creation of new units, and realignment under BRAC. **Page 17357**

Murray Amendment No. 1349, to facilitate the availability of child care for the children of members of the Armed Forces on active duty in connection with Operation Enduring Freedom or Operation Iraqi Freedom and to assist school districts serving large numbers or percentages of military dependent children affected by the war in Iraq or Afghanistan, or by other Department of Defense personnel decisions. **Page 17357**

Levin Amendment No. 1494, to establish a national commission on policies and practices on the treatment of detainees since September 11, 2001. **Page 17357**

Hutchison Amendment No. 1477, to make oral and maxillofacial surgeons eligible for special pay for Reserve health professionals in critically short wartime specialties. **Page 17357**

Graham/McCain Modified Amendment No. 1505, to authorize the President to utilize the Combatant Status Review Tribunals and Annual Review Board to determine the status of detainees held at Guantanamo Bay, Cuba. **Page 17357**

Nelson (FL) Amendment No. 762, to repeal the requirement for the reduction of certain Survivor Benefit Plan annuities by the amount of dependency and indemnity compensation and to modify the effective date for paid-up coverage under the Survivor Benefit Plan. **Page 17357**

Durbin Amendment No. 1428, to authorize the Secretary of the Air Force to enter into agreements with St. Clair County, Illinois, for the purpose of constructing joint administrative and operations structures at Scott Air Force Base, Illinois. **Page 17358**

Durbin Amendment No. 1571, to ensure that a Federal employee who takes leave without pay in order to perform service as a member of the uniformed services or member of the National Guard shall continue to receive pay in an amount which, when taken together with the pay and allowances such individual is receiving for such service, will be no less than the basic pay such individual would then be receiving if no interruption in employment had occurred. **Page 17358**

Levin Amendment No. 1496, to prohibit the use of funds for normalizing relations with Libya pending resolution with Libya of certain claims relating to the bombing of the LaBelle Discotheque in Berlin, Germany. **Page 17358**

Levin Amendment No. 1497, to establish limitations on excess charges under time-and-materials contracts and labor-hour contracts of the Department of Defense. **Page 17358**

Levin (for Harkin/Dorgan) Amendment No. 1425, relating to the American Forces Network. **Page 17358**

During consideration of this measure today, Senate also took the following action:

By 50 yeas to 48 nays (Vote No. 205), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the bill. **Page 17367**

Protection of Lawful Commerce in Arms Act: Senate resumed consideration of the motion to proceed to consideration of S. 397, to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages, injunctive or other relief resulting from the misuse of their products by others. **Page 17369**

During consideration of this measure today, Senate also took the following action:

By 66 yeas to 32 nays (Vote No. 206), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the motion to proceed to consideration of the bill. **Page 17369**

A unanimous-consent-time agreement was reached providing for further consideration of the motion to proceed to consideration of the bill at 9:30 a.m. on Wednesday, July 27, 2005; provided further, that the time from 10 a.m. to 2 p.m. be equally divided for debate, followed by a vote on the motion to proceed. **Page 17523**

Messages From the House: **Page 17407**

Measures Referred: **Page 17407**

Measures Read First Time: **Page 17407**

Executive Communications: **Page 17407**

Executive Reports of Committees: **Page 17409**

Additional Cosponsors: **Page 17411**

Statements on Introduced Bills/Resolutions: **Page 17413**

Additional Statements: **Page 17405**

Amendments Submitted: **Page 17451**

Authority for Committees to Meet: **Page 17481**

Privilege of the Floor: **Page 17482**

Record Votes: Five record votes were taken today. (Total–206) **Pages 17365–69**

Adjournment: Senate convened at 9:45 a.m., and adjourned at 7:09 p.m. until 9:30 a.m., on Wednesday, July 27, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 17523.)

Committee Meetings

SPECIES CONSERVATION

Committee on Agriculture, Nutrition, and Forestry: Subcommittee on Forestry, Conservation, and Rural Revitalization concluded a hearing to examine how farm bill programs can better support species conservation, focusing on the Wetlands Reserve Program, the eastern bog turtle and ivory billed woodpecker, pallid sturgeon, salmon, and the sage grouse, after receiving testimony from Bruce I. Knight, Chief, Natural Resources Conservation Service, Department of Agriculture; J. Kent Foster, Idaho Association of Soil Districts, Boise; James L. Cummins, Mississippi Fish and Wildlife Foundation, Stoneville; Steve Manning, Leon River Restoration Project, Gatesville, Texas; and Timothy D. Searchinger, Environmental Defense, Washington, D.C.

NOMINATIONS

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the nominations of Christopher Cox, of California, who was introduced by Senators Stevens, Feinstein, and Boxer, Roel C. Campos, of Texas, and Annette L. Nazareth, of the District of Columbia, who was introduced by Senator Schumer, each to be a Member of the Securities and Exchange Commission, after the nominees testified and answered questions in their own behalf.

NOMINATIONS

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the nominations of John C. Dugan, of Maryland, to be Comptroller of the Currency, John M. Reich, of Virginia, to be Director of the Office of Thrift Supervision, and Martin J. Gruenberg, of Maryland, to be a Member and Vice Chairperson of the Board of Directors of the Federal Deposit Insurance Corporation, after the nominees testified and answered questions in their own behalf.

ELECTRONICS WASTE

Committee on Environment and Public Works: Subcommittee on Superfund and Waste Management concluded an oversight hearing to examine the potential health and environmental impact of electronics waste, after receiving testimony from Senators Talent and Wyden; Representative Mike Thompson; Thomas P. Dunne, Deputy Assistant Administrator, Office of Solid Waste and Emergency Response, Environmental Protection Agency; John B. Stephenson, Director, Natural Resources and Environment, Government Accountability Office; Garth T. Hickle, Minnesota Pollution Control Agency, St. Paul; Richard Goss, Electronic Industries Alliance, Arlington, Virginia; Scott Slesinger, Environmental Technology Council, Washington, D.C.; Michael Vitelli, Best Buy Company, Inc., Richfield, Minnesota, on behalf of the Consumer Electronics Retailers Coalition; and Sheila Davis, Silicon Valley Toxics Coalition, San Jose, California.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported an original bill entitled "National Employee Savings and Trust Equity Guarantee Act".

GLOBAL ENERGY TRENDS

Committee on Foreign Relations: Committee concluded a hearing to examine implications for the United States regarding energy trends in China and India, focusing on China and India's expanding role in the global energy market and energy dialogues taking place with these two countries, after receiving testimony from E. Anthony Wayne, Interim Under Secretary of State for Economic, Business and Agricultural Affairs, and David K. Garman, Under Secretary of Energy for Science and Environment; Mikkal Herberg, The National Bureau of Asian Research, Seattle, Washington; Randall G. Shriver, Armitage International, Arlington, Virginia; and Sumit Ganguly, Indiana University India Studies Program, Bloomington.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the following business items:

S. 1129, to provide authorizations of appropriations for certain development banks, with an amendment in the nature of a substitute;

Inter-American Convention Against Terrorism (Treaty Doc. 107–18), with one understanding;

Protocol of Amendment to International Convention on Simplification and Harmonization of Customs Procedures (Treaty Doc. 108–6), with reservations to 24 recommended practices contained in specific annexes;

Convention on Cybercrime (Treaty Doc. 108–11), with six reservations and five declarations;

U.N. Convention Against Transnational Organized Crime (Treaty Doc. 108–16), with three reservations and one declaration relating to the convention, three reservations, one understanding, and one declaration relating to the supplementary protocol on trafficking in persons, and two reservations and one understanding relating to the supplementary protocol on migrant smuggling; and

The nominations of Henrietta Holsman Fore, of Nevada, to be an Under Secretary of State for Management, Henry Crumpton, of Virginia, to be Coordinator for Counterterrorism, with the rank and status of Ambassador at Large, Gillian Arlette Milovanovic, of Pennsylvania, to be Ambassador to the Republic of Macedonia, James Cain, of North Carolina, to be Ambassador to Denmark, Alan W. Eastham, Jr., of Arkansas, to be Ambassador to the Republic of Malawi, Katherine Hubay Peterson, of California, to be Ambassador to Republic of Botswana, Michael Retzer, of Mississippi, to be Ambassador to the United Republic of Tanzania, Karen P. Hughes, of Texas, to be Under Secretary of State for Public Diplomacy, with the rank of Ambassador, Josette Sheeran Shiner, of Virginia, to be an Under Secretary of State for Economic, Business, and Agricultural Affairs, Kristen Silverberg, of Texas, to be an Assistant Secretary of State for International Organization Affairs, and Jendayi Elizabeth Frazer, of Virginia, to be an Assistant Secretary of State for African Affairs.

GENERAL SERVICES ADMINISTRATION

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, and International Security concluded a hearing to examine the General Services Administration (GSA), focusing on GSA's historic use of two proven negotiation tools to improve the pricing of schedules contracts-pre-award audits and postaward audits of pre-award information, after receiving testimony from David E. Cooper, Director, Acquisition and Sourcing Management, Government Accountability Office; Emily W. Murphy, Chief Acquisition Officer, and Kathleen S. Tighe, Counsel to the Inspector General, both of the General Services Administration; David H. Safavian, Administrator, Federal Procurement Policy, Office of Management and Budget; John B. Ames, Director, Contract Review and Evaluation Division, Office of Inspector General, Department of Veterans Affairs; and Thomas Graham, Networld Exchange, Carlsbad, California.

INDIAN TRUST REFORM ACT

Committee on Indian Affairs: Committee concluded a hearing to examine legislation to resolve the lawsuit of Cobell v. Norton, focusing on S. 1439, to provide for Indian trust asset management reform and resolution of historical accounting claims, after receiving testimony from Jim Cason, Associate Deputy Secretary, and Ross Swimmer, Special Trustee for American Indians, both of the Department of the Interior; Tex Hall, National Congress of American Indians, Washington, D.C.; Jim Gray, Inter-Tribal Monitoring Association, Albuquerque, New Mexico; Ernest L. Stensgar, Affiliated Tribes of Northwest Indians, Portland, Oregon; James T. Martin, United South and Eastern Tribes, Inc., Nashville, Tennessee; and Elouise C. Cobell, Blackfeet Reservation Development Fund, Browning, Montana.

IMMIGRATION REFORM

Committee on the Judiciary: Committee held a hearing to examine comprehensive immigration reform proposals, receiving testimony from Senators Kennedy, McCain, Kyl, and Cornyn; Hal Daub, American Health Care Association, and National Center For Assisted Living, Washington, D.C., on behalf of the Essential Worker Immigration Coalition; Tamar Jacoby, Manhattan Institute, New York, New York; and Gary Endelman, Houston, Texas.

Hearing recessed subject to the call.

PATENTS REFORM

Committee on the Judiciary: Subcommittee on Intellectual Property held a hearing to examine harmonization and other matters concerning patents, focusing on the first-inventor-to- file issue, and pre-issuance submissions of art, receiving testimony from Gerald J. Mossinghoff, Oblon, Spivak, McClelland, Maier, and Neustadt, Alexandria, Virginia, former Assistant Secretary of Commerce and Commissioner of Patents and Trademarks; Q. Todd Dickinson, General Electric Company, Fairfield, Connecticut, former Under Secretary of Commerce for Intellectual Property and Director of the U.S. Patent and Trademark Office; Christine J. Siwik, Rakoczy Molino Mazzochi LLP, Chicago, Illinois, on behalf of Barr Laboratories, Inc.; Marshall C. Phelps, Jr., Microsoft Corporation, Redmond, Washington; Charles E. Phelps, University of Rochester, Rochester, New York, on behalf of sundry groups; David Beier, Amgen, Washington, D.C.

Hearing recessed subject to the call.

NOMINATION

Committee on the Judiciary: Committee concluded a hearing to examine the nomination of Timothy Elliott Flanigan, of Virginia, to be Deputy Attorney General, Department of Justice, after the nominee, who was introduced by Senators Warner and Allen, testified and answered questions in his own behalf.

BUSINESS MEETING

Select Committee on Intelligence: Committee ordered favorably reported the nominations of Janice B. Gardner, of Virginia, to be Assistant Secretary for Intelligence and Analysis, Department of the Treasury, Benjamin A. Powell, of Florida, to be General Counsel of the Office of the Director of National Intelligence, and John S. Redd, of Georgia, to be Director of the National Counterterrorism Center, Office of the Director of National Intelligence.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 23 public bills, H.R. 3426–3448; and 6 resolutions, H. Con. Res. 218; and H. Res. 383–384, 388–390 were introduced. **Page 17750**

Additional Cosponsors: **Page 17752**

Reports Filed: Reports were filed today as follows:

H. Res. 385, providing for consideration of H.R. 5, to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system (H. Rept. 109–185);

H. Res. 386, providing for consideration of H.R. 3045, to implement the Dominican Republic-Central America-United States Free Trade Agreement (H. Rept. 109–186);

H. Res. 387, providing for consideration of H.R. 3283, to enhance resources to enforce United States trade rights (H. Rept. 109–187); **Page 17750**

Conference report to accompany H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes (H. Rept. 109–188); and **Page 17661**

Conference report to accompany H.R. 2985, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2006, and for other purposes (H. Rept. 109–189). **Page 17728**

Speaker: Read a letter from the Speaker wherein he appointed Representative Marchant to act as Speaker pro tempore for today. **Page 17524**

Chaplain: The prayer was offered today by Rev. W. Don Young, Senior Pastor, Heartland Worship Center, Paducah, Kentucky. **Page 17526**

Recess: The House recessed at 9:23 and reconvened at 10 a.m. **Page 17526**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Brian P. Parrello Post Office Building Designation Act: S. 904, designating the facility of the United States Postal Service located at 1560 Union Valley Road in West Milford, New Jersey, as the "Brian P. Parrello Post Office Building"—clearing the measure for the President. **Page 17544**

Servicemembers' Group Life Insurance Enhancement Act of 2005: H.R. 3200, enhancing the Servicemembers'

Group Life Insurance program, by a ⅔ yea-and-nay vote of 424 yeas with none voting "nay", Roll No. 420; **Pages 17545, 17556**

Paul Kasten Post Office Building Designation Act: Debated yesterday, July 25: H.R. 2977, designating the facility of the United States Postal Service located at 306 2nd Avenue in Brockway, Montana, as the "Paul Kasten Post Office Building" by a ⅔ yea-and-nay vote of 422 with none voting "nay", Roll No. 423; **Page 17558**

Abraham Lincoln Birthplace Post Office Building Designation Act: Debated yesterday, July 25: H.R. 2894, designating the facility of the United States Postal Service located at 102 South Walters Avenue in Hodgenville, Kentucky, as the "Abraham Lincoln Birthplace Post Office Building" by a ⅔ yea-and-nay vote of 421 with none voting "nay", Roll No. 427; and **Page 17603**

James T. Malloy Post Office Building Designation Act: Debated yesterday, July 25: H.R. 3339, designating the facility of the United States Postal Service located at 2061 South Park Avenue in Buffalo, New York, as the "James T. Molloy Post Office Building" by a ⅔ yea-and-nay vote of 423 yeas with none voting "nay", Roll No. 431. **Page 17648**

Suspension—Failed: The House failed to agree to suspend the rules and pass the following measure:

United States Trade Rights Enforcement Act: H.R. 3283, amended, enhancing resources to enforce United States trade rights, by a ⅔ yea-and-nay vote of 240 yeas to 186 nays, Roll No. 421. **Pages 17531, 17556**

Department of the Interior, Environment and Related Agencies Appropriations Act of 2006—Motion to go to Conference: The House disagreed to the Senate amendment to H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and agreed to a conference. **Page 17549**

The House agreed to the Obey motion to instruct conferees by a yea-and-nay vote of 426 yeas with none voting "nay", Roll No. 422. **Pages 17549, 17557**

Appointed as conferees: Representatives Taylor of North Carolina, Lewis of California, Wamp, Peterson of Pennsylvania, Sherwood, Istook, Aderholt, Doolittle, Simpson, Dicks, Obey, Moran of Virginia, Hinchey, Olver, and Mollohan. **Page 17559**

Legislative Branch Appropriation for FY 2006—Motion to go to Conference: The House disagreed to the Senate amendments on H.R. 2985, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2006, and agreed to a conference. **Page 17555**

Appointed as conferees: Representatives Lewis of California, Kingston, Granger, Doolittle, LaHood, Obey, Hoyer, and Moran of Virginia. **Page 17556**

Small Business Health Fairness Act of 2005: The House passed H.R. 525, to amend title I of the Employee Retirement Income Security Act of 1974 to improve access and choice for entrepreneurs with small businesses with respect to medical care for their employees, by a yea-and-nay vote of 263 yeas to 165 nays, Roll No. 426. **Page 17570**

Rejected Mr. Miller of California motion to recommit the bill to the Committee on Education and the Workforce with instructions to report the same back to the House forthwith with amendments, by a yea-and-nay vote of 198 yeas to 230 nays, Roll No. 425. **Page 17601**

Rejected the Kind amendment (No. 1 printed in H. Rept. 109–183) in the nature of a substitute regarding the establishment of a Small Employer Health Benefits Plan (SEHB), by a yea-and-nay vote of 197 yeas to 230 nays, Roll No. 424; and **Page 17591**

H. Res. 379, the rule providing for consideration of the bill was agreed to by voice vote. **Page 17559**

Postal Accountability and Enhancement Act: The House passed H.R. 22, to reform the postal laws of the United States, by a recorded vote of 410 ayes to 20 noes, Roll No. 430. **Page 17608**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Government Reform now printed in the bill was considered as an original bill for the purpose of amendment. **Page 17620**

Rejected:

Hensarling amendment (No. 3 printed in H. Rept. 109–184) that sought to reduce the bill's cost by ensuring that 100% of the Civil Service Retirement System saving released will be directed to pay the Postal Service's unfunded healthcare liability; **Page 17642**

Pence amendment (No. 1 printed in H. Rept. 109–184) that sought to remove the requirement that the first vacant slot on the Board of Governors is to be filled by an individual with unanimous backing by the labor unions, (by a recorded vote of 82 ayes to 345 noes, Roll No. 428); and **Pages 17637, 17646**

Flake amendment (No. 2 printed in H. Rept. 109–184) that sought to establish a domestic pilot program to empower local postmasters to employ their experience and management expertise to test certain fundamental assumptions relating to the provisions of universal mail service in the U.S. (by a recorded vote of 51 ayes to 379 noes, Roll No. 429). **Pages 17639, 17646**

H. Res. 380, the rule providing for consideration of the bill was agreed to by voice vote. **Page 17565**

Late Report: Agreed that the managers on the part of the House have until midnight tonight, July 26, to file conference reports to accompany H.R. 2361, Department of the Interior, Environment, and Related Agencies Appropriations Act for FY 2006 and H.R. 2985, Legislative Branch Appropriations Act for FY 2006. **Page 17604**

Federal Food, Drug and Cosmetic Act: The House agreed by unanimous consent to H.R. 3423, to amend the Federal Food, Drug, and Cosmetic Act with respect to medical device user fees. **Page 17604**

Senate Message: Message received from the Senate today appears on page 17604.

Quorum Calls—Votes: 9 yea-and-nay votes and 3 recorded votes developed during the proceedings today and appear on pages 17556–58, 17600–04, and 17646–49. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 11:46 p.m.

Committee Meetings

FDA FISCAL YEAR 2006 APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on FDA Fiscal Year 2006 Appropriations. Testimony was heard from the following officials of the Department of Health and Human Services: Lester M. Crawford, D.V.M., Commissioner, and Kathleen D. Heuer, Associate Commissioner of Management, both with the FDA; and Lester Cash, Director, Division of Budget Policy, Execution and Review, Acting Assistant Secretary, Budget.

WEST BANK/GAZA ASSISTANCE

Committee on Appropriations: Subcommittee on Foreign Operations, Export Financing, and Related Agencies held a hearing on West Bank/Gaza Assistance. Testimony was heard from James Wolfensohn, Quartet Special Envoy for Gaza Disengagement; the following officials of the Department of State: David C. Welch, Assistant Secretary, Bureau of Near Eastern Affairs; and James Bever, Mission Director, West Bank/Gaza Operations, U.S. Agency for International Development; and LTG William E. Ward, Deputy Commander, USA, Deputy Commander, U.S. Army Europe, Coordinate for Security, Department of Defense.

MENTAL HEALTH

Committee on Armed Services: Subcommittee on Military Personnel held a hearing on mental health. Testimony was heard from the following officials of the Department of Defense: William Winkenwerder, Jr., M.D., Assistant Secretary, Health Affairs; LTG Kevin C. Kiley, USA, Surgeon General; VADM Donald C. Arthur, USN, Surgeon General; LTG George P. Taylor, Jr., USAF, Surgeon General, Department of the Air Force; COL Virgil J. Patterson, USA, Chief, Soldier and Family Support Branch, Army Medical Department Center and School; CAPT Kristiaan C. Hughes, USA, C Company, 1/46 IN, Fort Knox, Kentucky; and Specialist Stephanie Stretch, 233rd Military Police Company, Illinois Army National Guard; Jonathan B. Perlin, M.D., Under Secretary of Health, Department of Veterans' Affairs; and a public witness.

FIGHTING METH IN AMERICA'S HEARTLAND

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy, and Human Resources held a hearing entitled "Fighting Meth in America's Heartland: Assessing the Impact on Local Law Enforcement and Child Welfare Agencies." Testimony was heard from Scott Burns, Deputy Director, State and Local Affairs, Office of National Drug Control Policy; Joseph Rannazzisi, Deputy Chief, Office of Enforcement, DEA, Department of Justice; Freida S. Baker, Deputy Director, Family and Children's Services, Department of Human Resources, State of Alabama; and public witnesses.

DOE/ESE SECURITY

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations held a hearing entitled "DOE/ESE Security: How Ready is the Protective Force?" Testimony was heard from Eugene E. Aloise, Director, Natural Resources and Environment, GAO; the following officials of the Department of Energy: Gregory H. Friedman, Inspector General; Glenn S. Podonsky, Director, Office of Security and Safety Performance Assurance; and Robert Walsh, Security Manager, Office of Energy, Science and Environment; Lawrence Brede, Wackenhut DOE Operations; and a public witness.

LONDON ATTACKS

Committee on Homeland Security: Subcommittee on Emergency Preparedness, Science, and Technology held a hearing entitled "The London Attacks: Training to Respond in a Mass Transit Environment." Testimony was heard from Tim Beres, Director, Preparedness Programs Division, Office for Domestic Preparedness, Office of State and Local Government Coordination and Preparedness, Department of Homeland Security; Robert Jamison, Deputy Administrator, Federal Transit Administration Department of Transportation; Polly Hanson, Chief of Metro Police, Washington Metro Area Transit Authority; Paul Lennon, Director, Intelligence and Emergency Preparedness Management, Los Angeles County Metropolitan Transit Authority; William A. Morange, Deputy Executive Director/Director of Security, New York City Metropolitan Transportation Authority; and a public witness.

BANKRUPTCY ABUSE PREVENTION AND CONSUMER PROTECTION ACT OF 2005 IMPLEMENTATION

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held an oversight hearing entitled "Implementation of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005." Testimony was heard from Clifford J. White III, Acting Director, Executive Office for United States Trustees; A. Thomas

Small, United States Bankruptcy Judge, Eastern District of North Carolina, on behalf of the Judicial Conference of the United States; and public witnesses.

OVERSIGHT—NATIONAL TRAILS SYSTEM ACT IMPLEMENTATION

Committee on Resources: Subcommittee on National Parks held an oversight hearing on the Implementation of the National Trails System Act. Testimony was heard from Chris Jarvi, Associate Director, Partnerships, Interpretation and Education, Volunteers and Outdoor Recreation, National Park Service, Department of the Interior; and public witnesses.

DOMINICAN REPUBLIC-CENTRAL AMERICA-UNITED STATES FREE TRADE AGREEMENT

Committee on Rules: Granted, by voice vote, a closed rule providing two hours of debate in the House on H.R. 3045, to implement the Dominican Republic-Central America-United States Free Trade Agreement, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The rule waives all points of order against the bill and against its consideration. The rule provides that, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker in consonance with section 151 of the Trade Act of 1974. The rule provides that a motion to proceed to consideration of the bill under section 151 of the Trade Act of 1974 shall be in order only in offered by the Majority Leader or his designee. Testimony was heard from Representatives Shaw and Cardin.

HELP EFFICIENT, ACCESSIBLE, LOW-COST, TIMELY HEALTHCARE (HEALTH) ACT OF 2005

Committee on Rules: Granted, by voice vote, a closed rule providing two hours of debate in the House on H.R. 5, to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system, equally divided and controlled by the Majority Leader and the Minority Leader or their designees. The rule waives all points of order against consideration of the bill. The rule provides that, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker. The rule provides one motion to recommit. Testimony was heard from Representatives Smith of Texas, Shadegg, Berman, Jackson-Lee of Texas, Costello, Baird, Emanuel, Berry, Davis of Tennessee and Lipinski.

UNITED STATES TRADE RIGHTS ENFORCEMENT ACT

Committee on Rules: Granted, by a vote of 9 to 4, a closed rule providing one hour of debate in the House on H.R. 3283, to enhance resources to enforce United States trade rights, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute printed in the Rules Committee report accompanying the resolution shall be considered as adopted. The rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives English, Cardin, and Ryan of Ohio.

HONORING PROTECTORS OF THE CAPITOL—PASSENGERS AND CREW OF FLIGHT 93

Committee on Transportation and Infrastructure: Subcommittee on Economic Development, Public Buildings and Emergency Management held a hearing on Honoring the Protectors of the Capitol: The Passengers and Crew of Flight 93. Testimony was heard from Brent Glass, member, Flight 93 Memorial Advisory Commission, Director, National Museum of American History, Smithsonian Institution; Hamilton Peterson, President, Families of Flight 93; and public witnesses.

RESULTS—FUTURE IMAGERY ARCHITECTURE RED TEAM REVIEW

Permanent Select Committee on Intelligence: Subcommittee on Technical and Tactical Intelligence met in executive session to hold a hearing on the results of the Future Imagery Architecture Red Team Review. Testimony was heard from departmental witnesses.

Joint Meetings

ENERGY POLICY ACT

Conferees agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 6, to ensure jobs for our future with secure, affordable, and reliable energy.

APPROPRIATIONS: DEPARTMENT OF THE INTERIOR

Conferees agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006.

APPROPRIATIONS: LEGISLATIVE BRANCH

Conferees agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 2985, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2006.

Wednesday, July 27, 2005

Senate

Chamber Action

Routine Proceedings, pages 18055–18203

Measures Introduced: Eighteen bills and four resolutions were introduced, as follows: S. 4, 1504–1520, S. Res. 215–217, and S. Con. Res. 48. **Page 18156**

Measures Reported:

S. 172, to amend the Federal Food, Drug, and Cosmetic Act to provide for the regulation of all contact lenses as medical devices, with an amendment in the nature of a substitute. (S. Rept. No. 109–110)

S. 1418, to enhance the adoption of a nationwide inter operable health information technology system and to improve the quality and reduce the costs of health care in the United States, with an amendment in the nature of a substitute. (S. Rept. No. 109–111) **Page 18156**

Measures Passed:

Medical Device User Fee Stabilization Act: Senate passed H.R. 3423, to amend the Federal Food, Drug, and Cosmetic Act with respect to medical device user fees, clearing the measure for the President. **Page 18196**

Foundation for the National Institutes of Health Improvement Act: Senate passed S. 302, to make improvements in the Foundation for the National Institutes of Health, after agreeing to the committee amendment in the nature of a substitute. **Page 18197**

National Foundation for the Centers for Disease Control and Prevention: Senate passed S. 655, to amend the Public Health Service Act with respect to the National Foundation for the Centers for Disease Control and Prevention, after agreeing to the committee amendment in the nature of a substitute. **Page 18198**

Jornada Experimental Range Transfer Act: Committee on Agriculture, Nutrition and Forestry was discharged from further considerationof S. 447, to authorize the conveyance of certain Federal land in the State of New Mexico, and the bill was then passed. **Page 18198**

Women's Business Center Grants: Senate passed S. 1517, to permit Women's Business Centers to re-compete for sustainability grants. **Page 18199**

Honoring World War II Veterans: Senate agreed to S. Res. 216, expressing gratitude and appreciation to the men and women of the United States Armed Forces who served in World War II, commending the acts of heroism displayed by those servicemembers, and recognizing the "Greatest Generation Homecoming Weekend" to be held in Pittsburgh, Pennsylvania. **Page 18200**

National Marina Day: Senate agreed to S. Res. 217, designating August 13, 2005, as "National Marina Day". **Page 18200**

National Historically Black Colleges Week: Committee on the Judiciary was discharged from further consideration of S. Res. 158, expressing the sense of the Senate that the President should designate the week beginning September 11, 2005, as "National Historically Black Colleges and Universities Week", and the resolution was then agreed to. **Page 18200**

National Airborne Day: Committee on the Judiciary was discharged from further consideration of S. Res. 86, designating August 16, 2005, as "National Airborne Day" and the resolution was then agreed to, after agreeing to the following amendment proposed thereto: **Page 18201**

McConnell (for Hagel) Amendment No. 1628, to provide that the people of the United States observe "National Airborne Day" with appropriate programs, ceremonies and activities. **Page 18201**

30th Anniversary of the Helsinki Act: Committee on Foreign Relations was discharged from further consideration of S.J. Res. 19, calling upon the President to issue a proclamation recognizing the 30th anniversary of the Helsinki Final Act, and the joint resolution was then passed. **Page 18201**

Commemorating Polish Workers Strike Anniversary: Committee on the Judiciary was discharged from further consideration of S. Res. 198, commemorating the 25th anniversary of the 1980 worker's strike in Poland and the birth of the Solidarity Trade Union, the first free and independent trade union established in the Soviet-dominated countries of Europe, and the resolution was then agreed to. **Page 18201**

National Attention Deficit Disorder Awareness Day: Committee on the Judiciary was discharged from further consideration of S. Res. 201, designating September 14, 2005, as "National Attention Deficit Disorder Awareness Day", and the resolution was then agreed to. **Page 18201**

People-to-People Engagement in World Affairs: Committee on Foreign Relations was discharged from further consideration of S. Res. 104, expressing the sense of the Senate encouraging the active engagement of Americans in world affairs and urging the Secretary of State to take the lead and coordinate with other governmental agencies and non-governmental organizations in creating an online database of international exchange programs and related opportunities, and the resolution was then agreed to, after agreeing to the following amendment proposed thereto: **Page 18202**

McConnell (for Feingold) Amendment No. 1629, to make certain corrections to the resolution. **Page 18202**

Protection of Lawful Commerce in Arms Act: Senate began consideration of S. 397, to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages, injunctive or other relief resulting from the misuse of their products by others, after agreeing to the motion to proceed to consideration of the bill, and taking action on the following amendments proposed thereto: **Pages 18055, 18083**

Pending:

Frist (for Craig) Amendment No. 1605, to amend the exceptions. **Page 18083**

Frist Amendment No. 1606 (to Amendment No. 1605), to make clear that the bill does not apply to actions commenced by the Attorney General to enforce the Gun Control Act and National Firearms Act. **Page 18083**

Reed (for Kohl) Amendment No. 1626, to amend chapter 44 of title 18, United States Code, to require the provision of a child safety lock in connection with the transfer of a handgun. **Page 18111**

A motion was entered to close further debate on the bill and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Friday, July 29, 2005. **Page 18083**

A unanimous-consent agreement was reached providing that on Thursday, July 28, 2005, there be one hour equally divided for debate in relation to Kohl Amendment No. 1626 (listed above); that following the use or yielding back of time, Senate proceed to a vote in relation to the Kohl Amendment with no amendment in order prior to the vote. **Page 18111**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m. on Thursday, July 28, 2005; provided further, that Senators have until 1 p.m. to file first-degree amendments. **Page 18083**

Defense Authorization—Agreement: A unanimous-consent agreement was reached providing that at any time determined by the Majority Leader, after consultation with the Democratic Leader, the Senate would resume consideration of S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces. **Page 18082**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that during this adjournment of the Senate, the Majority Leader and Majority Whip be authorized to sign duly enrolled bills or joint resolutions. **Page 18202**

Highway Extension Agreement: A unanimous-consent agreement was reached providing that notwithstanding the recess or adjournment of the Senate, that when the Senate receives from the House of Representatives a short-term highway extension, the bill be considered, read a third time and passed. **Page 18202**

Nominations Received: Senate received the following Nominations:

Keith E. Gottfried, of California, to be General Counsel of the Department of Housing and Urban Development.

Alfred Hoffman, of Florida, to be Ambassador to the Republic of Portugal.

Mark S. Schneider, of the District of Columbia, to be Commissioner of Education Statistics for a term expiring June 21, 2009.

Bertha K. Madras, of Massachusetts, to be Deputy Director for Demand Reduction, Office of National Drug Control Policy.

Diane Rivers, of Arkansas, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2009.

Sandra Frances Ashworth, of Idaho, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2009.

Jan Cellucci, of Massachusetts, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2009.

1 Army nomination in the rank of general. **Page 18203**

Messages From the House: **Page 18154**

Measures Referred: **Page 18154**

Measures Placed on Calendar: **Page 18154**

Executive Communications: **Page 18154**

Additional Cosponsors: **Page 18157**

Statements on Introduced Bills/Resolutions: **Page 18159**

Additional Statements: **Page 18151**

Amendments Submitted: **Page 18188**

Notices of Hearings/Meetings: **Page 18195**

Authority for Committees to Meet: **Page 18196**

Privilege of the Floor: **Page 18196**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 7:40 p.m. until 9:30 a.m., on Thursday, July 28, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 18203.)

Committee Meetings

CONSERVATION RESERVE PROGRAM

Committee on Agriculture, Nutrition, and Forestry: Subcommittee on Forestry, Conservation, and Rural Revitalization concluded an oversight hearing to examine the Conservation Reserve Program, the voluntary program for agricultural landowners that provides annual rental payments and cost-share assistance to establish long-term, resource-conserving covers on eligible farmland, after receiving testimony from James R. Little, Administrator, Farm Service Agency, Department of Agriculture; Dan Forster, Georgia Department of Natural Resources, Social Circle; Sherman Reese, Echo, Oregon, on behalf of the National Association of Wheat Growers; Kendell W. Keith, National Grain and Feed Association, and Krysta Harden, National Association of Conservation Districts, both on behalf of sundry groups, both of Washington, D.C.; and Jeffrey W. Nelson, Ducks Unlimited, Inc., Bismarck, North Dakota, on behalf of sundry groups.

NATIONAL ALERT SYSTEM

Committee on Commerce, Science, and Transportation: Subcommittee on Disaster Prevention and Prediction concluded a hearing to examine the need for a national all-hazards alert and public warning system, focusing on the role and activities of the Federal Government to ensure the quick and accurate dissemination of alert and warning information, after receiving testimony from Reynold N. Hoover, Director, Office of National Security Coordination, Federal Emergency Management Agency, Department of Homeland Security; Kenneth Moran, Acting Director, Office of Homeland Security, Enforcement Bureau, Federal Communications Commission; Mark Paese, Director, Maintenance, Logistics and Acquisition Division, National Weather Service, National Oceanic and Atmospheric Administration, Department of Commerce; and Christopher E. Guttman-McCabe, CTIA—The Wireless Association, Richard Taylor, ComCARE Alliance, and John M. Lawson, Association of Public Television Stations, all of Washington, D.C.

FAIR RATINGS ACT

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine S. 1372, to provide for the accuracy of television ratings services, focusing on Nielsen's implementation of the local people meter (LMP) service, after receiving testimony from George Ivie, Media Rating Council, Inc., Susan Whiting, Nielsen Media Research, Ceril Shagrin, Univision, and Kathy Crawford, MindShare, all of New York, New York; Patrick J. Mullen, Tribune Broadcasting Company, Chicago, Illinois; and Gale Metzger, SMART Media, Cranford, New Jersey.

HYDROGEN AND FUEL CELL RESEARCH

Committee on Energy and Natural Resources: Subcommittee on Energy concluded a hearing to examine recent progress in hydrogen and fuel cell research sponsored by the Department of Energy and by private industry, including challenges to the development of these technologies, after receiving testimony from Douglas L. Faulkner, Acting Assistant Secretary of Energy for Energy Efficiency and Renewable Energy; Jeremy Bentham, Royal Dutch Shell, Amsterdam, The Netherlands; Lawrence D. Burns, General Motors Corporation, Warren, Michigan; and Dennis Campbell, Ballard Power Systems, Burnaby, British Columbia.

MEDICARE

Committee on Finance: Committee held a hearing to examine the role of value-based purchasing relating to improving quality in Medicare, focusing on the use of pay-for-performance reimbursement systems within the Medicare program, receiving testimony from Herb Kuhn, Director, Center for Medicare Management, Centers for Medicare and Medicaid Services, Department of Health and Human Services; Mark E. Miller, Executive Director, Medicare Payment Advisory Commission; Thomas Byron Thames, AARP, and Nancy H. Nielsen, American Medical Association, both of Washington, D.C.; Leo P. Brideau, Columbia St. Mary's, Milwaukee, Wisconsin, on behalf of the American Hospital Association; and James J. Mongan, Partners HealthCare, Boston, Massachusetts.

Hearing recessed subject to the call.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the Nominations of William J. Burns, of the District of Columbia, to be Ambassador to the Russian Federation, who was introduced by Senator Hagel; William Robert Timken, Jr., of Ohio, to be Ambassador to the Federal Republic of Germany, who was introduced by Senators Voinovich, DeWine, and Allen; Richard Henry Jones, of Nebraska, to be Ambassador to Israel; and Francis Joseph Ricciardone, Jr., of New Hampshire, to be Ambassador to the Arab Republic of Egypt, after the nominees testified and answered questions in their own behalf.

UNITED NATIONS PEACEKEEPING REFORM

Committee on Foreign Relations: Subcommittee on International Operations and Terrorism concluded a hearing to examine United Nations peacekeeping reform efforts, focusing on exploitation by United Nations peacekeepers of civilian populations, relating to the need for stronger oversight, investigative and disciplinary procedures, and training to prevent such abuse, after receiving testimony from Philo L. Dibble, Acting Assistant Secretary of State for International Organization Affairs.

Also, committee received a briefing on United Nations peacekeeping efforts from H.R.H. Prince Zeid Ra'ad Zeid Al-Hussein, Permanent Representative of the Hashemite, Kingdom of Jordan, and Jane Holl Lute, Assistant Secretary General, Peacekeeping Operations, both of the United Nations.

CHEMICAL FACILITIES SECURITY

Committee on Homeland Security and Governmental Affairs: Committee held a hearing to determine whether the Federal government is doing enough to secure chemical facilities, focusing on security operations relating to marine transportation, the fertilizer industry, and the industrial sector, receiving testimony from Rear Admiral Craig E. Bone, Director of Port Security, Maritime Safety, Security, and Environmental Protection Directorate, U.S.

Coast Guard, Department of Homeland Security; Robert A. Full, Allegheny County Department of Emergency Services, Pittsburgh, Pennsylvania; Beth Turner, E.I. duPont de Nemours and Company, Inc., Wilmington, Delaware; Jim L. Schellhorn, Terra Industries, Inc., Washington, D.C., on behalf of The Fertilizer Institute; and John P. Chamberlain, Shell Oil Company, Houston, Texas, on behalf of the American Petroleum Institute.

SECURITIES AND EXCHANGE COMMISSION

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, and International Security concluded a hearing to examine financial management at the Securities and Exchange Commission, focusing on the results of the fiscal year 2004 financial audit of the Commission, after receiving testimony from David M. Walker, Comptroller General of the United States, Government Accountability Office; and James M. McConnell, Executive Director, Securities and Exchange Commission.

INDIAN GAMING

Committee on Indian Affairs: Committee concluded an oversight to examine lands eligible for gaming pursuant to the Indian Gaming Regulatory Act, after receiving testimony from Senators Voinovich and Vitter; George T. Skibine, Acting Deputy Assistant Secretary of the Interior for Policy and Economic Development for Indian Affairs; Penny J. Coleman, Acting General Counsel, National Indian Gaming Commission; Walter Gray, Guidiville Band of Pomo Indians, Talmage, California; Christine Norris, The Jena Band of Choctaw Indians, Jena, Louisiana; John R. Barnett, Cowlitz Indian Tribe, Longview, Washington; and Charles D. Enyart, Eastern Shawnee Tribe of Oklahoma, Seneca, Missouri.

FBI OVERSIGHT

Committee on the Judiciary: Committee concluded an oversight hearing to examine the Federal Bureau of Investigation, focusing on the creation of an intelligence service within the Federal Bureau of Investigation, specifically impacting the language program, information technology capabilities, and ability to recruit, hire, train, and retain expertise, after receiving testimony from former Representative Lee Hamilton, on behalf of the National Commission on Terrorist Attacks Upon the United States; Robert S. Mueller, III, Director, Federal Bureau of Investigation, and Glenn A. Fine, Inspector General, both of the Department of Justice; William H. Webster, Milbank, Tweed, Hadley, and McCloy, LLP, former Director, Federal Bureau of Investigation, and John A. Russack, Information Sharing Environment, both of Washington, D.C.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

ELDERLY VICTIMIZATION

Special Committee on Aging: Committee concluded a hearing to examine the victimization of the elderly through scams, focusing on internet fraud, prize and sweepstakes fraud, health-related fraud, identity theft, and consumer education, after receiving testimony from Lois C. Greisman, Associate Director, Division of Planning and Information, Federal Trade Commission; Zane M. Hill, Acting Assistant Chief Inspector, U.S. Postal Inspection Service; Anthony R. Pratkanis, University of California at Santa Cruz; Denise C. Park, University of Illinois Beckman Institute, Urbana-Champaign; Helen Marks Dicks, Coalition of Wisconsin Aging Groups, Madison; and Vicki Hersen, Elders in Action, Portland, Oregon.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 45 public bills, H.R. 3449–3493; 2 private bills, H.R. 3494–3495; and 7 resolutions, H. Con. Res. 219–223; and H. Res. 391, 397 were introduced. **Page 18049**

Additional Cosponsors: **Page 18053**

Reports Filed: Reports were filed today as follows:

Conference Report on H.R. 6, to ensure jobs for our future with secure, affordable, and reliable energy (H. Rept. 109–190);

H.R. 1132, to provide for the establishment of a controlled substance monitoring program in each State, amended (H. Rept. 109–191);

H.R. 3204, to amend title XXVII of the Public Health Service Act to extend Federal funding for the establishment and operation of State high risk health insurance pools, amended (H. Rept. 109–192);

H. Con. Res. 208, recognizing the 50th anniversary of Rosa Louise Parks' refusal to give up her seat on the bus and the subsequent desegregation of American society (H. Rept. 109–193);

H. Res. 336, requesting that the President focus appropriate attention on neighborhood crime prevention and community policing, and coordinate certain Federal efforts to participate in "National Night Out", which occurs the first Tuesday of August each year, including by supporting local efforts and community watch groups and by supporting local officials, to promote community safety and help provide homeland security (H. Rept. 109–194);

H. Con. Res. 216, expressing the sense of the Congress that, as Congress observes the 40th anniversary of the Voting Rights Act of 1965 and encourages all Americans to do the same, it will advance the legacy of the Voting Rights Act of 1965 by ensuring the continued effectiveness of the Act to protect the voting rights of all Americans (H. Rept. 109–195);

H. Res. 378, recognizing and honoring the 15th anniversary of the signing of the Americans with Disabilities Act of 1990 (H. Rept. 109–196, Pt. 1);

H.R. 3205, amending title IX of the Public Health Service Act to provide for the improvement of patient safety and to reduce the incidence of events that adversely affect patient safety, amended (H. Rept. 109–197);

H. Res. 392, waiving points of order against the conference report to accompany the bill (H.R. 2361) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006 (H. Rept. 109–198);

H. Res. 393, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 109–199);

H. Res. 394, waiving points of order against consideration of the conference report to accompany the bill (H.R. 6) to ensure jobs for our future with secure, affordable, and reliable energy (H. Rept. 109–200);

H. Res. 395, providing for consideration of motions to suspend the rules (H. Rept. 109–201); and

H. Res. 396, waiving points of order against the conference report to accompany the bill (H.R. 2985) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2006 (H. Rept. 109–202). **Pages 17793, 18049**

Speaker: Read a letter from the Speaker wherein he appointed Representative Bonilla to act as speaker pro tempore for today. **Page 17754**

Chaplain: The prayer was offered today by Rev. Lawrence Hargrave, Colgate Rochester Crozer Divinity School in Rochester, New York. **Page 17754**

United States Trade Rights Enforcement Act: The House passed H.R. 3283, to enhance resources to enforce United States trade rights, by a yea and nay vote of 255 yeas to 168 nays, Roll No. 437. **Page 17949**

Rejected the Cardin motion to recommit the bill to the Committee on Ways and Means with instructions to report the same back to the House forthwith with an amendment, by a yea and nay vote of 195 yeas to 232 nays, Roll No. 436. **Page 17964**

Pursuant to the rule, the amendment in the nature of a substitute printed in H. Rept. 109–187, was adopted.

H. Res. 387, the rule providing for consideration of the bill was agreed to by a recorded vote of 228 ayes to 200 noes, Roll No. 433, after agreeing to order the previous question by a yea and nay vote of 226 yeas to 202 nays, Roll No. 432. **Pages 17759, 17946**

Suspensions: The House agreed to suspend the rules and pass the following measures:

State High Risk Pool Funding Extension Act of 2005: H.R. 3204, amended, to amend title XXVII of the Public Health Service Act to extend Federal funding for the establishment and operation of State high risk health insurance pools; **Page 17769**

Controlled Substances Export Reform Act of 2005: S. 1395, to amend the Controlled Substances Import and Export Act to provide authority for the Attorney General to authorize the export of controlled substances from the United States to another country for subsequent export from that country to a second country, if certain conditions and safeguards are satisfied—clearing the measure for the President; **Page 17772**

Patient Safety and Quality Improvement Act of 2005: S. 544, to amend title IX of the Public Health Service Act to provide for the improvement of patient safety and to reduce the incidence of events that adversely effect patient safety, by a ⅔ yea and nay vote of 428 yeas to 3 nays, Roll No. 434—clearing the measure for the President; **Pages 17774, 17947**

Amending the Controlled Substances Act with regard to patient limitations on prescribing drug addiction treatments: S. 45, to amend the Controlled Substances Act to lift the patient limitation on prescribing drug addiction treatments by medical practitioners in group practices, by a ⅔ yea and nay vote of 429 yeas with none voting "nay", Roll No. 435—clearing the measure for the President; **Pages 17780, 17948**

National All Schedules Prescription Electronic Reporting Act of 2005: H.R. 1132, amended, to provide for the establishment of a controlled substance monitoring program in each State; **Page 17782**

Encouraging the Transnational Assembly of Iraq to adopt a constitution that grants women equal rights: H. Res. 383, encouraging the Transitional National Assembly of Iraq to adopt a constitution that grants women equal rights under the law and to work to protect such rights, by a ⅔ yea and nay vote of 426 yeas with none voting "nay", Roll No. 438; **Pages 17788, 17966**

Condemning the terrorist attacks in Sharm el-Sheikh, Egypt on July 23, 2005: H. Res. 384, condemning in the strongest terms the terrorist attacks in Sharm el-Sheikh, Egypt, on July 23, 2005, by a ⅔ yea and nay vote of 428 yeas with none voting "nay", Roll No. 439; **Pages 17943, 17967**

Supporting the goals of National Marina Day: Debated on Monday, July 25: H. Res. 308, supporting the goals of National Marina Day and urging marinas continue providing environmentally friendly gateways to boating, by a ⅔ yea and nay vote of 385 yeas with none voting "nay", Roll No. 444. **Page 18045**

Help Efficient, Accessible, Low-Cost, Timely Healthcare (HEALTH) Act of 2005—Rule for Consideration: The House agreed to H. Res. 385, the rule providing for consideration of H.R. 5, to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system, by a recorded vote of 226 ayes to 200 noes with one voting "present", Roll No. 441, after agreeing to order the previous question by a yea and nay vote of 226 yeas to 200 nays with 1 voting "present", Roll No. 440. **Pages 17968, 17991**

Dominican Republic-Central American-United States Free Trade Agreement Implementation Act: The House passed H.R. 3045, to implement the Dominican Republic-Central America-United States Free Trade Agreement, by a recorded vote of 217 ayes to 215 noes, Roll No. 443. **Page 17993**

H. Res. 386, the rule providing for consideration of the bill was agreed to by a yea and nay vote of 227 yeas to 201 nays, Roll No. 442. **Pages 17978, 17992**

Surface Transportation Extension Act: The House passed H.R. 3453, to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century. **Page 17987**

National Committee on Vital and Health Statistics—Reappointment: The Chair announces the Speaker's reappointment of Mr. Jeffrey S. Blair of Albuquerque, New Mexico to the National Committee on Vital and Health Statistics. **Page 18046**

Senate Messages: Messages received from the Senate today appear on pages 17758 and 17993.

Senate Referrals: S. 264, S. 1480, S. 243, S. 1481, S. 1482, S. 203, S. 1484, S. 1485, S. 178, S. 207, S. 229, S. 231, S. 232, S. 253, S. 276, S. 54, S. 128, S. 152, S. 182, S. 205, S. 214, S. 301, S. 47, S. 52, S. 56, S. 97, S. 101, S. 153, S. 212, S. 252, and S. 279 were referred to the Committee on Resources; S. 706 was referred to the Committee on Transportation and Infrastructure; S. 1483 was referred to the Committee on Education and the Workforce; S. 176, S. 285, and S. 244 were referred to the Committee on Energy and Commerce; S. 442 was referred to the Committee on the Judiciary; S. 225 was referred to the Committees on Resources, Agriculture and Government Reform; S. 263 was referred to the Committees on Resources and Agriculture; S. 136 was referred to the Committees on Resources and Education and the Workforce; and S. 272, S. 55, S. 156, and S. 161, were held at the desk. **Page 18046**

Quorum Calls—Votes: 10 yea and nay votes and 3 recorded votes developed during the proceedings of today and appear on pages 17946–48, 17965–68, 17991–93, and 18044–45. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 12:15 a.m.

Committee Meetings

MISCELLANEOUS MEASURES

Committee on Agriculture: Ordered favorably reported the following bills: H.R. 3421, To reauthorize the United States Grain Standards Act, to facilitate the official inspection at export locations of grain required or authorized to be inspected under such Act; and H.R. 3408, To reauthorize the Livestock Mandatory Reporting Act of 1999 and to amend the swine reporting provisions of that Act.

CHINESE MILITARY POWER

Committee on Armed Services: Held a hearing on Chinese military power. Testimony was heard from Franklin Kramer, former Assistant Secretary, International Security Affairs, Department of Defense; and public witnesses.

TERRORISM INSURANCE FUTURE

Committee on Financial Services: Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises held a hearing on the Future of Terrorism Insurance. Testimony was heard from Howard Mills, Superintendent, New York Insurance Department; Lawrence H. Mirel, Commissioner, Department of Insurance and Securities, District of Columbia; and public witnesses.

BRAC AND BEYOND

Committee on Government Reform: Held a hearing entitled "BRAC and Beyond: An Examination of the Rationale Behind Federal Security Standards for Leased Space." Testimony was heard from Representative Moran of Virginia; Dwight M. Williams, Chief Security Officer, Department of Homeland Security; F. Joseph Moravec, Commissioner, Public Buildings Service, GSA; John Jester; and the following officials of the Department of Defense: John Jester, Director, Pentagon Force Protection Agency; and Get Moy, Director, Installation Requirements and Management.

HYDROGEN ECONOMY

Committee on Government Reform: Subcommittee on Energy and Resources held a hearing entitled "The Hydrogen Economy: Is it Attainable? When?" Testimony was heard from Douglas L. Faulkner, Acting Secretary, Energy Efficiency and Renewable Energy, Department of Energy; Richard M. Russell, Associate Director, Technology, Office of Science and Technology Policy; Alan Lloyd, Secretary, Environmental Protection Agency, State of California; and public witnesses.

IMPROVE HEALTHCARE USING INFORMATION TECHNOLOGY

Committee on Government Reform: Subcommittee on Federal Workforce and Agency Organization held a hearing entitled "Is There a Doctor in the Mouse?: Using Information Technology to Improve Healthcare." Testimony was heard from Representative Kennedy of Rhode Island; Linda M. Springer, Director, OPM; the following officials of the Department of Health and Human Services: David Brailer, M.D., National Health Information Technology Coordinator; and Caroline Clancy, M.D., Director, Agency for Health Care Research and Quality; and public witnesses.

DHS IN TRANSITION

Committee on Government Reform: Subcommittee on Government Management, Finance, and Accountability held a hearing entitled "DHS in Transition—Are Financial Management Problems Hindering Mission Effectiveness?" Testimony was heard from the following officials of the Department of Homeland Security: Janet Hale, Under Secretary, Management; Andrew Maner, Chief Financial Officer; and Richard Skinner, Acting Inspector General; and Linda Combs, Controller, Office of Federal Financial Management, OMB.

REGULATORY REFORM

Committee on Government Reform: Subcommittee on Regulatory Affairs held a hearing entitled "Regulatory Reform: Are Regulations Hindering Our Competitiveness?" Testimony was heard from Representatives Hayworth, Kelly, Ney, Miller of Michigan, Lynch and Westmoreland; J. Christopher Mihm, Managing Director, Strategic Issues, GAO; Curtis W. Copeland, Specialist in American National Government, CRS, Library of Congress; and public witnesses.

BORDER SECURITY SYSTEM'S INTEGRITY—FEDERAL-STATE PARTNERSHIPS

Committee on Homeland Security: Subcommittee on Management, Integration, and Oversight held a hearing entitled "The 287(g) Program: Ensuring the Integrity of America's Border Security System through Federal-State Partnerships." Testimony was heard from Paul M. Kilcoyne, Deputy Assistant Director, Office of Investigations, U.S. Immigration and Customs Enforcement, Department of Homeland Security; Mark F. Dubina, Special Agent Supervisor, Tampa Bay Regional Operations Center, Department of Law Enforcement, State of Florida; Charles E. Andrews, Chief, Administrative Division, Department of Public Safety, State of Alabama; and public witnesses.

UKRAINE

Committee on International Relations: Subcommittee on Europe and Emerging Threats held a hearing on Ukraine: Developments in the Aftermath of the Orange Revolution. Testimony was heard from Daniel Fried, Assistant Secretary, Bureau for European and Eurasian Affairs, Department of State; and public witnesses.

ENERGY SECURITY—TERRORIST THREATS

Committee on International Relations: Subcommittee on International Terrorism and Nonproliferation held a hearing on Terrorist Threats to Energy Security. Testimony was heard from public witnesses.

SYRIA AND THE UN OIL-FOR-FOOD PROGRAM

Committee on International Relations: Subcommittee on Oversight and Investigation and the Subcommittee on the Middle East and Central Asia held a joint hearing on Syria and the United Nations Oil-for-Food Program. Testimony was heard from Elizabeth L. Dibble, Deputy Assistant Secretary, Bureau of Near Eastern Affairs, Department of State; Dwight Sparlin, Director, Operations, Policy, and Support, Criminal Investigation Division, IRS, Department of the Treasury; and a public witness.

U.S. DIPLOMACY IN LATIN AMERICA

Committee on International Relations: Subcommittee on Western Hemisphere held a hearing on U.S. Diplomacy in Latin America. Testimony was heard from the following officials of the Department of State: Roger Noriega, Assistant Secretary, Bureau of Western Hemisphere Affairs, Department of State; John Maisto, U.S. Representative on the Council of the OAS, Department of State; and public witnesses.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Ordered favorably reported the following measures: H.R. 3132, Children's Safety Act of 2005; H.R. 3402, Department of Justice Appropriations Authorization Act, Fiscal Years 2006 through 2009; H. Res. 336, Requesting that the President focus appropriate attention on neighborhood crime prevention and community policing, and coordinate certain Federal efforts to participate in "National Night Out," which occurs the first Tuesday of August each year, including by supporting local efforts and community watch groups and by supporting local officials, to promote community safety and help provide homeland security; H. Res. 378, Recognizing and honoring the 15th anniversary of the signing of the Americans with Disabilities Act of 1990; H. Con. Res. 216, Expressing the sense of the Congress that, as Congress observes the 40th anniversary of the Voting Rights Act of 1965 and encourages all Americans to do the same, it will advance the legacy of the Voting Rights Act of 1965 by ensuring the continued effectiveness of the Act to protect the voting rights of all Americans; and H. Con. Res. 208, Recognizing the 50th anniversary of Rosa Louise Parks' refusal to give up her seat on the bus and the subsequent desegregation of American society.

CONFERENCE REPORT—ENERGY POLICY ACT OF 2005

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 6, Energy Policy Act of 2005, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Chairman Barton of Texas and Representative Dingell.

CONFERENCE REPORT—INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Representatives Taylor of North Carolina and Dicks.

CONFERENCE REPORT—LEGISLATIVE BRANCH APPROPRIATIONS

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 2985, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2006, and for other purposes, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Chairman Lewis of California.

INTERNATIONAL MULTI-YEAR BUDGETING COMPARATIVE STUDY

Committee on Rules: Subcommittee on Legislative and Budget Process held a hearing on A Comparative Study of International Multi-Year Budgeting. Testimony was heard from Barry Anderson, former Deputy Director, CBO; and public witnesses.

PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Committee on Rules: Granted, by voice vote, a rule providing that suspensions will be in order at any time on the legislative day of Thursday, July 28, 2005. The rule provides that the Speaker or his designee shall consult with the Minority Leader or her designee on any suspension considered under the rule.

SAME DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE RULES COMMITTEE

Committee on Rules: Granted, by voice vote, a rule waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The rule applies the waiver to any special rule reported on the legislative day of July 28, 2005, providing for consideration or disposition of a conference report to accompany the bill (H.R. 3) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

SBA'S VENTURE CAPITAL PROGRAM

Committee on Small Business: Held a hearing on the importance of amending the Small Business Investment Act of 1958 to establish a participating debenture program to assist small businesses in gaining access to much needed capital. Testimony was heard from Jaime A. Guzman-Fournier, Associate Administrator, Investment, SBA; and a public witness.

BIOTECHNOLOGY INDUSTRY IMPORTANCE

Committee on Small Business: Subcommittee on Rural Enterprises, Agriculture and Technology, hearing entitled "The Importance of the Biotechnology Industry and Venture Capital Support in Innovation." Testimony was heard from public witnesses.

OVERSIGHT—POST TRAUMATIC STRESS DISORDER

Committee on Veterans' Affairs: Held an oversight hearing on the Department of Defense and the Department of Veterans Affairs: The Continuum of Care for Post Traumatic Stress Disorder. Testimony was heard from the following officials of the Department of Defense: COL Charles W. Hoge, M.D., Chief of Psychiatry and Behavior Sciences, Division of Neurosciences, Walter Reed Army Institute of Research; LTC Charles C. Engle, Jr., M.D., Chief, DoD Deployment Health Clinical Center, Walter Reed Army Medical Center, both with the U.S. Army; and Michael E. Kilpatrick, M.D. Deputy Director, Deployment Health Support Directorate, Office of the Deputy Assistant Secretary; the following officials of the Department of Veterans Affairs: Matthew J. Friedman, M.D., Executive Director, National Center for Post-Traumatic Stress Disorder; Alfonso R. Batres, Chief, Office of Readjustment Counseling; BG Michael J. Kussman, M.D., Deputy Under Secretary, Health, Veterans Health Administration; and Mark Shelhorse, M.D., Deputy Chief Patient Care Services Officer for Mental Health and Chief Medical Officer for VISN 6; representatives of veterans organizations; and public witnesses.

VETERANS MEASURES

Committee on Veterans' Affairs: Subcommittee on Economic Opportunity approved for full Committee action the following bills: H.R. 419, Hire Veterans Act of 2005; and H.R. 3279, Homeless Veterans Reintegration Program Reauthorization Act of 2005.

VETERANS LEGISLATION

Committee on Veterans' Affairs: Subcommittee on Economic Opportunity held a hearing on the following: H.R. 3082, Veteran-Owned Small Business Promotion Act of 2005; H.R. 1773, Native American Veteran Home Loan Act; a measure to Establish an Office of Disabled Veterans Sports and Special Events; a measure to require the Veterans' Employment and Training Service to Establish Qualification Standards for Disabled Veteran Outreach Specialists and Local Veteran Employment Representatives; a measure to increase the Disabled Veteran Adaptive Housing Grant; and a measure to Provide for a Disabled Veteran Transitional Housing Grant. Testimony was heard from Delegate Faleomavaega; John M. McWilliam, Deputy Assistant Secretary, Operations and Management, Veterans' Employment and Training Service, Department of Labor; Keith Pedigo, Director, Loan Guaranty Service, Veterans Benefits Administration, Department of Veterans Affairs; and representatives of veterans organizations.

HEALTH CARE INFORMATION TECHNOLOGY

Committee on Ways and Means: Subcommittee on Health held a hearing on Health Care Information Technology (IT). Testimony was heard from David Brailer, M.D., National Coordinator, Health Information Technology, Department of Health and Human Services; and public witnesses.

GLOBAL MISSILE THREATS

Permanent Select Committee on Intelligence: Subcommittee on Technical and Tactical Intelligence met in executive session to hold a hearing on Global Missile Threats. Testimony was heard from departmental witnesses.

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Thursday, July 28, 2005

Senate

Chamber Action

Routine Proceedings, pages 18896–19014

Measures Introduced: Thirty-two bills and seven resolutions were introduced, as follows: S. 1521–1552, S.J. Res. 22, S. Res. 218–223. **Page 18976**

Measures Reported:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals from the Concurrent Resolution for Fiscal Year 2006". (S. Rept. No. 109–115)

S. 449, to facilitate shareholder consideration of proposals to make Settlement Common Stock under the Alaska Native Claims Settlement Act available to missed enrollees, eligible elders, and eligible persons born after December 18, 1971. (S. Rept. No. 109–112)

S.J. Res. 15, to acknowledge a long history of official depredations and ill-conceived policies by the United States Government regarding Indian tribes and offer an apology to all Native Peoples on behalf of the United States. (S. Rept. No. 109–113)

S. 1280, to authorize appropriations for fiscal years 2006 and 2007 for the United States Coast Guard, with amendments. (S. Rept. No. 109–114)

S. 103, to respond to the illegal production, distribution, and use of methamphetamine in the United States, with an amendment in the nature of a substitute. **Page 18973**

Measures Passed:

National Sex Offender Database: Committee on the Judiciary was discharged from further consideration of S. 792, to establish a National sex offender registration database, and the bill was then passed,after agreeing to the following amendment proposed thereto: **Page 18939**

Frist (for Dorgan/Dole) Amendment No. 1643, in the nature of a substitute. **Page 18939**

CAFTA Implementation: By 56 yeas to 44 nays (Vote No. 209), Senate passed H.R. 3045, to implement the Dominican Republic-Central America-United States Free Trade Agreement, clearing the measure for the President. **Pages 18939, 18943**

Honoring Tour de France Participants: Senate agreed to S. Res. 222, honoring the victories of Team Discovery and American cyclists Lance Armstrong and George Hincapie in the 2005 Tour de France. **Page 19009**

National Life Insurance Awareness Month: Senate agreed to S. Res. 223, supporting the goals and ideals of "National Life Insurance Awareness Month". **Page 19009**

National Citizens' Crime Prevention 25th Anniversary: Committee on the Judiciary was discharged from further consideration of S. Res. 208, commemorating the 25th anniversary of the National Citizens' Crime Prevention Campaign, and the resolution was then agreed to. **Page 19010**

Women Suffragists: Senate passed H.J. Res. 59, expressing the sense of Congress with respect to women suffragists who fought for and won the right of women to vote in the United States, clearing the measure for the President. **Page 19010**

Purple Heart: Committee on Armed Services was discharged from further consideration of S. Con. Res. 39, to express the sense of Congress on the Purple Heart, and the concurrent resolution was then agreed to. **Page 19010**

Indian Arts and Crafts Amendments Act: Senate passed S. 1375, to amend the Indian Arts and Crafts Act of 1990 to modify provisions relating to criminal proceedings and civil actions. **Page 19011**

Psoriasis Awareness Month: Committee on the Judiciary was discharged from further consideration of S. Res.

206, designating August 2005 as "Psoriasis Awareness Month", and the resolution was then agreed to. **Page 19011**

Adjournment Resolution: Senate agreed to H. Con. Res. 225, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate. **Page 19012**

Protection of Lawful Commerce in Arms Act: Senate continued consideration of S. 397, to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages, injunctive or other relief resulting from the misuse of their products by others, taking action on the following amendments proposed thereto: **Page 18910**

Adopted:

By 70 yeas to 30 nays (Vote No. 207), Reed (for Kohl) Amendment No. 1626, to amend chapter 44 of title 18, United States Code, to require the provision of a child safety lock in connection with the transfer of a handgun. **Page 18911**

Rejected:

Levin Amendment No. 1623, to clarify the prohibition on certain civil liability actions. (By 62 yeas to 37 nays (Vote No. 208), Senate tabled the amendment.) **Page 18915**

Pending:

Frist (for Craig) Modified Amendment No. 1605, to make clear that the bill does not apply to actions commenced by the Attorney General to enforce the Gun Control Act. **Page 18915**

Frist Modified Amendment No. 1606 (to Amendment No. 1605), to make clear that the bill does not apply to actions commenced by the Attorney General to enforce the Gun Control Act and National Firearms Act. **Page 18915**

A unanimous-consent-time agreement was reached providing for the consideration of certain amendments to be proposed to the bill; that the cloture vote be vitiated and following the disposition of the amendments, the pending Frist (for Craig) Modified Amendment No. 1605 (listed above) and Frist Modified Amendment No. 1606 (to Amendment No. 1605) be agreed to; the bill be read a third time, and the Senate then vote on final passage of the bill. **Page 18938**

A unanimous-consent agreement was reached providing for further consideration of the bill on Friday, July 29, 2005. **Page 18938**

Energy Policy Act—Conference Report: Senate began consideration of the conference report to accompany H.R. 6, to ensure jobs for our future with secure, affordable, and reliable energy. **Page 18945**

A unanimous-consent agreement was reached providing that Senator Feingold be recognized to raise a Congressional Budget Act point of order, and that Senator Domenici, or his designee, be immediately recognized in order to make a motion to waive the point of order; that if the point of order is waived, the Senate then immediately vote on adoption of the conference report. **Page 18940**

A unanimous-consent agreement was reached providing for further consideration of the conference report on Friday, July 29, 2005, with 30 minutes equally divided for closing remarks. **Page 19012**

Department of the Interior Appropriations Conference Report—Agreement: A unanimous-consent agreement was reached providing that on Friday, July 29, 2005, at a time determined by the Majority Leader, in consultation with the Democratic Leader, Senate begin consideration of the conference report to accompany H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006; that there be 20 minutes of debate equally divided between the majority and the minority, and that the Senate then vote on adoption of the conference report. **Page 19012**

Legislative Branch Appropriations—Conference Report: A unanimous-consent agreement was reached providing that on Friday, July 29, 2005, at a time determined by the Majority Leader, in consultation with the Democratic Leader, Senate begin consideration of the conference report to accompany H.R. 2985, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2006; that there be 20 minutes of debate equally divided between the majority and the minority, and that the Senate then vote on adoption of the conference report. **Page 19012**

Executive Reports of Committees: Senate received the following executive report of a committee:

Report to accompany Protocol of Amendment to the International Convention on Simplification and Harmonization of Customs Procedures (Treaty Doc. 108–6) (Ex. Rept. 109–2). **Page 18973**

Nominations Confirmed: Senate confirmed the following nominations:

Thomas A. Fuentes, of California, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2005. (Prior to this action, Committee on Health, Education, Labor, and Pensions was discharged from further consideration.)

Bernice Phillips, of New York, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2005. (Prior to this action, Committee on Health, Education, Labor, and Pensions was discharged from further consideration.)

Rachel Brand, of Iowa, to be an Assistant Attorney General.

David R. Hill, of Missouri, to be General Counsel of the Department of Energy.

Richard L. Skinner, of Virginia, to be Inspector General, Department of Homeland Security.

Kevin F. Sullivan, of New York, to be Assistant Secretary for Communications and Outreach Department of Education. (Prior to this action, Committee on Health, Education, Labor, and Pensions was discharged from further consideration.)

Jill L. Sigal, of Wyoming, to be Assistant Secretary of Energy (Congressional and Intergovernmental Affairs).

Janice B. Gardner, of Virginia, to be Assistant Secretary for Intelligence and Analysis, Department of the Treasury.

Marcus C. Peacock, of Minnesota, to be Deputy Administrator of the Environmental Protection Agency.

Henry Louis Johnson, of Mississippi, to be Assistant Secretary for Elementary and Secondary Education, Department of Education. (Prior to this action, Committee on Health, Education, Labor, and Pensions was discharged from further consideration.)

Terrell Halaska, of the District of Columbia, to be Assistant Secretary for Legislation and Congressional Affairs, Department of Education. (Prior to this action, Committee on Health, Education, Labor, and Pensions was discharged from further consideration.)

John S. Redd, of Georgia, to be Director of the National Counterterrorism Center, Office of the Director of National Intelligence.

Donetta Davidson, of Colorado, to be a Member of the Election Assistance Commission for the remainder of the term expiring December 12, 2007. (Prior to this action, Committee on Rules and Administration was discharged from further consideration.) **Pages 19008, 19013**

Nominations Received: Senate received the following nominations:

John J. Young, Jr., of Virginia, to be Director of Defense Research and Engineering.

Emil W. Henry, Jr., of New York, to be an Assistant Secretary of the Treasury.

William E. Kovacic, of Virginia, to be a Federal Trade Commissioner for a term of seven years from September 26, 2004.

Kathryn Higgins, of South Dakota, to be a Member of the National Transportation Safety Board for a term expiring December 31, 2009.

Edward McGaffigan, Jr., of Virginia, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2010.

George M. Gray, of Massachusetts, to be an Assistant Administrator of the Environmental Protection Agency.

Barry F. Lowenkron, of Virginia, to be Assistant Secretary of State for Democracy, Human Rights, and Labor.

William Paul McCormick, of Oregon, to be Ambassador to New Zealand, and serve concurrently and without additional compensation as Ambassador to Samoa.

Roland Arnall, of California, to be Ambassador to the Kingdom of the Netherlands.

Christine M. Griffin, of Massachusetts, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2009.

James F. X. O'Gara, of Pennsylvania, to be Deputy Director for Supply Reduction, Office of National Drug Control Policy.

Timothy Mark Burgess, of Alaska, to be United States District Judge for the District of Alaska.

Joseph Frank Bianco, of New York, to be United States District Judge for the Eastern District of New York.

Harry Sandlin Mattice, Jr., of Tennessee, to be United States District Judge for the Eastern District of Tennessee.

Routine lists in the Air Force. **Page 19013**

Messages From the House: **Page 18971**

Measures Referred: **Page 18971**

Measures Placed on Calendar: **Page 18971**

Enrolled Bills Presented: **Page 18971**

Executive Communications: **Page 18972**

Executive Reports of Committees: **Page 18973**

Additional Cosponsors: **Page 18977**

Statements on Introduced Bills/Resolutions: **Page 18978**

Additional Statements: **Page 18968**

Amendments Submitted: **Page 19002**

Authority for Committees to Meet: **Page 19007**

Privilege of the Floor: **Page 19007**

Record Votes: Three record votes were taken today. (Total—209) **Pages 18915, 18924, 18945**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 10:57 p.m. until 9 a.m., on Friday, July 29, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 19012.)

Committee Meetings

NOMINATIONS

Committee on Armed Services: Committee concluded a hearing to examine the nominations of Lieutenant General Norton A. Schwartz, USAF, for appointment to the grade of general and to be Commander, U.S. Transportation Command, who was introduced by Senator Stevens, Ronald M. Sega, of Colorado, to be Under Secretary of the Air Force, who was introduced by Senator Allard, Phillip Jackson Bell, of Georgia, to be Deputy Under Secretary for Logistics and Materiel Readiness, and John G. Grimes, of Virginia, to be Assistant Secretary for Networks and Information Integration, both of the Department of Defense, Keith E. Eastin, of Texas, to be Assistant Secretary of the Army for Installations and Environment, and William Anderson, of Connecticut, to be Assistant Secretary of the Air Force for Installations, Environment and Logistics, after the nominees testified and answered questions in their own behalf.

NOMINATIONS

Committee on Armed Services: Committee ordered favorably reported the nominations of Peter Cyril Wyche Flory, of Virginia, to be an Assistant Secretary for International Security Affairs, Phillip Jackson Bell, of Georgia, to be Deputy Under Secretary for Logistics and Materiel Readiness, both of the Department of Defense, Keith E. Eastin, of Texas, to be Assistant Secretary of the Army for Installations and Environment, Lieutenant General Norton A. Schwartz, USAF, for appointment to the grade of general and to be Commander, U.S. Transportation Command, and 4,070 nominations in the Army, Navy, Air Force, and Marine Corps.

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported the following business items:

S. 705, to establish the Interagency Council on Meeting the Housing and Service Needs of Seniors, with an amendment in the nature of a substitute;

H.R. 804, to exclude from consideration as income certain payments under the national flood insurance program;

S. 1047, to require the Secretary of the Treasury to mint coins in commemoration of each of the Nation's past Presidents and their spouses, respectively to improve circulation of the $1 coin, to create a new bullion coin;

S. 190, to address the regulation of secondary mortgage market enterprises, with an amendment in the nature of a substitute; and

The nominations of Christopher Cox, of California, Roel C. Campos, of Texas, and Annette L. Nazareth, of the District of Columbia, each to be a Member of the Securities and Exchange Commission, John C. Dugan, of Maryland, to be Comptroller of the Currency, and John M. Reich, of Virginia, to be Director of the Office of Thrift Supervision, both of the Department of the Treasury, Martin J. Gruenberg, of Maryland, to be a Member and Vice Chairperson of the Board of Directors of the Federal Deposit Insurance Corporation.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the following bills:

S. 1516, to reauthorize Amtrak, with an amendment in the nature of a substitute; and

S. 1408, to strengthen data protection and safeguards, require data breach notification, and further prevent identity theft, with an amendment in the nature of a substitute.

COPYRIGHT PROTECTION

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine issues related to MGM v. Grokster and the appropriate balance between copyright protection and communications technology innovation, focusing on balancing the protection of copyright and technological innovation, after receiving testimony from Adam M. Eisgrau, Flanagan Consulting, on behalf of P2P United, Inc. and the Electronic Frontier Foundation, and Mitch Bainwol, Recording Industry Association of America, both of Washington, DC; Gregory G. Kerber, Wurld Media, Inc., Saratoga Springs, New York; Mark G. Heesen, National Venture Capital Association, Arlington, Virginia; David N. Baker, EarthLink, Inc., Atlanta, Georgia; and Fritz E. Attaway, Motion Picture Association of America, Encino, California.

NATIONAL PARKS/MEMORIALS

Committee on Energy and Natural Resources: Subcommittee on National Parks concluded a hearing to examine S. 584 and H.R. 432, bills to require the Secretary of the Interior to allow the continued occupancy and use of certain land and improvements within Rocky Mountain National Park, S. 652, to provide financial assistance for the rehabilitation of the Benjamin Franklin National Memorial in Philadelphia, Pennsylvania, and the development of an exhibit to commemorate the 300th anniversary of the birth of Benjamin Franklin, S. 958, to amend the National Trails System Act to designate the Star-Spangled Banner Trail in the States of Maryland and Virginia and the District of Columbia as a National Historic Trail, S. 1154, to extend the Acadia National Park Advisory Commission, to provide improved visitor services at the park, S. 1166, to extend the authorization of the Kalaupapa National Historical Park Advisory Commission, and S. 1346, to direct the Secretary of the Interior to conduct a study of maritime sites in the State of Michigan, after receiving testimony from Stephen P. Martin, Deputy Director, National Park Service, Department of the Interior; Steve Belko, Michigan Lighthouse Project, Oxford; Dennis M. Wint, The Franklin Institute, Philadelphia, Pennsylvania; Ralph Eshelman, Lusby, Maryland; and Betty H. Dick, Grand Lake, Colorado.

NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT

Committee on Indian Affairs: Committee held an oversight hearing to examine the implementation of the Native American Graves Protection and Repatriation Act (P.L. 101–601), focusing on the impact of the United States Court of Appeals for the Ninth Circuit decision in Bonnichsen v. United States, and the proposed amendment to the definition of "Native American" under the Act, receiving testimony from Paul Hoffman, Deputy Assistant Secretary of the Interior for Fish and Wildlife and Parks; Paul Bender, Arizona State University College of

Law, and Keith W. Kintigh, Society for American Archaeology, both of Tempe, Arizona; Walter R. Echo-Hawk, Native American Rights Fund, Boulder, Colorado; Patricia M. Lambert, Utah State University, Logan, on behalf of the American Association of Physical Anthropologists; Paula A. Barran, Barran and Leibman, LLP, Portland, Oregon; and A. Van Horn Diamond, Honolulu, Hawaii.

Hearing recessed subject to the call.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 103, to respond to the illegal production, distribution, and use of methamphetamine in the United States, with an amendment in the nature of a substitute; and

The nominations of Michael J. Garcia, of New York, to be United States Attorney for the Southern District of New York, and Peter Manson Swaim, to be United States Marshal for the Southern District of Indiana.

Also, Committee resumed markup of S. 1088, to establish streamlined procedures for collateral review of mixed petitions, amendments, and defaulted claims, but did not complete action thereon, and recessed subject to call.

BUSINESS MEETING

Committee on Veterans' Affairs: Committee ordered favorably reported the following business items:

S. 1234, to increase, effective as of December 1, 2005, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans;

S. 1235, to amend chapters 19 and 37 of title 38, United States Code, to extend the availability of $400,000 in coverage under the servicemembers' life insurance and veterans' group life insurance programs, with an amendment in the nature of a substitute, (as approved by the Committee, the substitute amendment incorporated related provisions of S. 1235, as introduced, S. 552, S. 917, S. 151, S. 1259, S. 1271, and S. 423); and

The nominations of James Philip Terry, of Virginia, to be Chairman of the Board of Veterans' Appeals, Department of Veterans' Affairs, and Charles S. Ciccolella, of Virginia, to be Assistant Secretary of Labor for Veterans' Employment and Training.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 120 public bills, H.R. 3496–3615; and 25 resolutions, H.J. Res. 62; H. Con. Res. 224–231; and H. Res. 398, 402–416 were introduced. **Page 18883**

Additional Cosponsors: **Page 18891**

Reports Filed: Reports were filed today as follows:

Conference report on H.R. 3, authorizing funds for Federal-aid highways, highway safety programs, and transit programs (H. Rept. 109–203);

H.R. 889, to authorize appropriations for the Coast Guard for fiscal year 2006, to make technical corrections to various laws administered by the Coast Guard, and for other purposes, with an amendment referred sequentially to the House Committee on Homeland Security for a period ending not later than July 29, 2005 for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(i) of rule X. (H. Rept. 109–204, Pt. 1);

H.R. 3207, to direct the Administrator of the Small Business Administration to establish a pilot program to make grants to eligible entities for the development of peer learning opportunities for second-stage small business concerns, amended (H. Rept. 109–205);

H.R. 2981, to amend the Small Business Act to expand and improve the assistance provided by Small Business Development Centers to Indian tribe members, Native Alaskans, and Native Hawaiians, amended (H. Rept. 109–206);

H.R. 527, to amend the Small Business Act to direct the Administrator of the Small Business Administration to establish a vocational and technical entrepreneurship development program, amended (H. Rept. 109–207);

H.R. 230, to amend the Small Business Act to direct the Administrator of the Small Business Administration to establish a program to provide regulatory compliance assistance to small business concerns, amended (H. Rept. 109–208);

H.R. 1065, to establish the United States Boxing Commission to protect the general welfare of boxers and to ensure fairness in the sport of professional boxing, with an amendment referred sequentially to the House Committee on the Judiciary for a period ending not later than Sept. 30, 2005 for consideration of such provisions of the bill and the amendment as fall within the jurisdiction of that committee pursuant to clause 1(l), rule X. (H. Rept. 109–209, Pt. 1);

H.R. 3084, to direct the Secretary of Commerce to issue regulations requiring testing for steroids and other performance-enhancing substances for certain sports associations engaged in interstate commerce, amended (H. Rept. 109–210, Pt. 1);

H.R. 921, to establish a digital and wireless network technology program (H. Rept. 109–211, Pt. 1);

H. Res. 399, waiving points of order against the conference report to accompany H.R. 3, Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (H. Rept. 109–212);

H. Res. 400, waiving a requirement of clause 6(a) of rule XIII with respect to the same day consideration of certain resolutions reported by the Rules Committee (H. Rept. 109–213); and

H. Res. 401, providing for consideration of H.R. 3514, to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century (H. Rept. 109–214). **Pages 18358, 18883**

Department of the Interior, Environment, and Related Agencies Appropriations Act for FY 2006—Conference Report: The House agreed to the conference report on H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, by a yea and nay vote of 410 yeas to 10 nays, Roll No. 450. **Pages 18335, 18354**

H. Res. 392, the rule providing for consideration of the conference report, was agreed to by a yea and nay vote of 402 yeas to 4 nays with 23 voting "present", Roll No. 446. **Pages 18253, 18292**

Energy Policy Act of 2005—Conference Report: The House agreed to the conference report on H.R. 6, to ensure jobs for our future with secure, affordable, and reliable energy, by a yea and nay vote of 275 yeas to 156 nays, Roll No. 445. **Page 18261**

H. Res. 394, the rule providing for consideration of the conference report, was agreed to by voice vote. **Page 18256**

Legislative Branch Appropriation Act for FY 2006—Conference Report: The House agreed to the conference report on H.R. 2985, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2006, by a yea and nay vote of 305 yeas to 122 nays, Roll No. 451. **Pages 18347, 18355**

H. Res. 396, the rule providing for consideration of the conference report, was agreed to by a yea and nay vote of 375 yeas to 27 nays with 24 voting "present", Roll No. 447. **Pages 18260, 18293**

Help Efficient, Accessible, Low-Cost, Timely Healthcare (HEALTH) Act of 2005: The House passed H.R. 5, improving patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery system, by a recorded vote 230 ayes to 194 noes with 2 voting "present", Roll No. 449. **Page 18294**

Rejected the Conyers motion to recommit the bill to the Committees on the Judiciary and Energy and Commerce with instructions to report the same back to the House forthwith with an amendment, by a yea and nay vote of 193 yeas to 234 nays with 1 voting "present", Roll No. 448. **Page 18329**

H. Res. 385, the rule providing for consideration of the bill was agreed to on Wednesday, July 27.

Summer District Work Period: The House agreed to H. Con. Res. 225, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate, by a yea and nay vote of 404 yeas to 16 nays, Roll No. 452. **Page 18356**

Recess: The House recessed at 6:25 p.m. and reconvened at 6:40 p.m. **Page 18357**

Recess: The House recessed at 6:41 p.m. and reconvened at 6:59 p.m. **Page 18358**

Recess: The House recessed at 7 p.m. and reconvened at 10:45 p.m. **Page 18874**

Recess: The House recessed at 10:58 p.m. and reconvened at 12:15 a.m. **Page 18876**

Correcting the enrollment of the conference report on the Transportation Equity Act: A Legacy for Users: The House agreed to H. Con. Res. 226, providing for a correction to the enrollment of the conference report on H.R. 3. **Page 18876**

Recess: The House recessed at 12:19 a.m. and reconvened at 1:07 a.m. **Page 18876**

Senate Message: Messages received from the Senate today appear on pages 18294, 18334, 18874, and 18876.

Senate Referrals: S. 302 and S. 655 were referred to the Committee on Energy and Commerce; S. 447 was referred to the Committee on Resources; S. 1517 was referred to the Committee on Small Business; S. 792 was referred to the Committee on the Judiciary; and S.J. Res. 19 was referred to the Committee on International Relations. **Page 18877**

Quorum Calls—Votes: 7 yea and nay votes and 1 recorded vote developed during the proceedings of today and appear on pages 18291–93, 18333–34, and 18354–56. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 1:09 a.m. on Friday, July 29.

Committee Meetings

FINANCING IRAQI INSURGENCY

Committee on Armed Services: Subcommittee on Terrorism, Unconventional Threats and Capabilities and the Subcommittee on Oversight and Investigations of the Committee on Financial Services held a joint hearing on the financing of the Iraqi insurgency. Testimony was heard from Daniel Glaser, Deputy Assistant Secretary, Terrorist Financing and Financial Crimes, Department of the Treasury; and the following officials of the Department of Defense: James Roberts, Acting Deputy Assistant Secretary, Special Operations and Combating Terrorism; and Caleb Temple, Director, Operations, Joint Intelligence Task Force for Combating Terrorism, Defense Intelligence Agency.

DATA SECURITY

Committee on Energy and Commerce, Subcommittee on Commerce, Trade, and Consumer Protection held a hearing entitled "Data Security: The Discussion Draft of Data Protection Legislation." Testimony was heard from public witnesses.

D.C. METRO—GOVERNMENT INVESTMENT

Committee on Government Reform: Held a hearing entitled "Keeping Metro on Track: The Federal Government's Role in Balancing Investment with Accountability at Washington's Transit Agency." Testimony was heard from Katherine Siggerud, Director, Physical Infrastructure Issues, GAO; the following officials of the Washington Metropolitan Area Transit Authority: Dana Kauffman, Chairman of the Board; and Richard White, Chief Executive Officer; and public witnesses.

RESOLUTION—COMMENDING THE DEPARTMENT OF HOMELAND SECURITY AND EMPLOYEES FOR DEDICATED SERVICE IN WAR AGAINST TERRORISM

Committee on Homeland Security: Ordered reported H. Res. 398, Expressing the sense of the House of Representatives that the employees of the Department of Homeland Security, their partners at all levels of government, and the millions of law enforcement agents and emergency response providers nationwide should be commended for their dedicated service on the Nation's front lines in the war against terrorism.

AVIATION SCREENING WORKFORCE—IMPROVING MANAGEMENT

Committee on Homeland Security: Subcommittee on Economic Security, Infrastructure Protection, and Cybersecurity held a hearing entitled "Improving Management of the Aviation Screening Workforce." Testimony was heard from Thomas Blank, Acting Deputy Administrator, Transportation Security Administration, Department of Homeland Security; James Bennett, President and Chief Executive Officer, Metropolitan Washington Airports Authority; John Martin, Director, San Francisco International Airport; William DeCota, Director, Aviation, New York-New Jersey Port Authority; and public witnesses.

NATIONAL BIODEFENSE STRATEGY

Committee on Homeland Security: Subcommittee on Prevention of Nuclear and Biological Attack, hearing entitled "Implementing the National Biodefense Strategy. Testimony was heard from the following officials of the Department of Health and Human Services: Julie Gerberding, M.D., Director, Centers for Disease Control and Prevention; and Anthony Fauci, M.D., Director, National Institutes of Allergy and Infectious Diseases, NIH; BG Eric B. Schoomaker, USA, Commanding General, U.S. Army Medical Research and Materiel Command, Department of Defense; and John Vitko, Jr., Director, Biological Countermeasure Portfolio, Science and Technolgy Directorate, Department of Homeland Security.

ASSESSING HANDICAP ACCESS TO HOUSE COMPLEX

Committee on House Administration: Held a hearing on Accessibility of the House Complex for Persons with Special Needs. Testimony was heard from Representative Langevin; Chief Terrence Gainer, U.S. Capitol Police; James M. Eagen III, Chief Administrative Officer, House of Representatives; Alan Hantman, Architect of the Capitol; and public witnesses.

LEBANON DEMOCRACY

Committee on International Relations: Held a hearing on Lebanon Reborn? Defining National Priorities and Prospects for Democratic Renewal in the Wake of March 14, 2005. Testimony was heard from the following officials of the Department of State: C. David Welch, Assistant Secretary, Bureau of Near Eastern Affairs; and James R. Kunder, Assistant Administrator, Bureau for Asia and the Near East, U.S. Agency for International Development; and public witnesses.

CHINA'S INFLUENCE ON AFRICA

Committee on International Relations: Subcommittee on Africa, Global Human Rights and International Operations, hearing on China's Influence in Africa. Testimony was heard from Michael Ranneberger, Deputy Assistant Secretary, Bureau of African Affairs, Department of State; Carolyn Bartholomew, Commissioner, U.S.-China Economic and Security Review Commission; and public witnesses.

OVERSIGHT—DEVELOPMENT OPPORTUNITIES IN MINING COMMUNITIES

Committee on Resources: Subcommittee on Energy and Minerals held an oversight hearing on Sustainable Development Opportunities in Mining Communities, Part II. Testimony was heard from public witnesses.

OVERSIGHT—WESTSIDE REGIONAL DRAINAGE PLAN

Committee on Resources: Subcommittee on Water and Power held an oversight hearing on Implementation of the Westside Regional Drainage Plan as a Way to Improve San Joaquin River Water Quality. Testimony was heard from John Keyes III, Commissioner, U.S. Bureau of Reclamation, Department of the Interior; and public witnesses.

CONFERENCE REPORT—TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS

Committee on Rules: Granted by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes, and against its consideration. The rule provides that the conference report be considered as read. Testimony was heard from Chairman Young of Alaska Representatives Petri and Oberstar.

HIGHWAY, HIGHWAY SAFETY, MOTOR CARRIER SAFETY, TRANSIT, AND OTHER PROGRAMS EXTENSION

Committee on Rules: Granted, by voice vote, a closed rule providing ten minutes of debate in the House on H.R. 3514, to provide an extension of administrative expenses for highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century, equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure. The rule waives all points of order against the bill and against its consideration. The rule provides one motion to recommit.

SAME DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE RULES COMMITTEE

Committee on Rules: Granted, by voice vote, a rule waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The rule applies the waiver to any special rule reported on the legislative day of July 29, 2005, providing for consideration or disposition of any measure related to funding for transportation programs.

CONFERENCE REPORT—TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 3 and against its consideration. The rule provides that the conference report shall be considered as read. The rule provides that the Clerk shall not transmit to the Senate a message that it has adopted the conference report to accompany H.R. 3 until the House has received a message that the Senate has agreed to House Concurrent Resolution 226 as adopted by the House.

TAX REFORM/MEMBERS PROPOSALS

Committee on Ways and Means: Subcommittee on Select Revenue Measures held a hearing on Member Proposals for Tax Reform. Testimony was heard from Representatives Neal, English of Pennsylvania, Linder, Emanuel, Kucinich, Bishop of New York, and Burgess.

BRIEFING—GLOBAL UPDATES

Permanent Select Committee on Intelligence: Met in executive session to receive a Briefing on Global Updates. The Committee was briefed by departmental witnesses.

DNI STATUS

Permanent Select Committee on Intelligence: Subcommittee on Oversight held a hearing on DNI Status. Testimony was heard from LTG Michael V. Hayden, USAF, Principal Deputy Director of National Intelligence.

Joint Meetings

ALTERNATIVE AUTOMOTIVE TECHNOLOGIES AND ENERGY EFFICIENCY

Joint Economic Committee: Committee concluded a hearing to examine alternative automotive technologies to develop energy efficient vehicles, after receiving testimony from David K. Garman, Secretary of Energy; Mark Chernoby, DaimlerChrysler Corporation, Auburn Hills, Michigan; Mary Ann Wright, Ford Motor Company, Dearborn, Michigan; Tom Stricker, Toyota Motor North America, Inc., Torrance, California; and Joe Loper, Alliance to Save Energy, Washington, DC.

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Friday, July 29, 2005

Senate

Chamber Action

Routine Proceedings, pages 19062–19341

Measures Introduced: Fifty-seven bills and eleven resolutions were introduced, as follows: S. 1553–1609, S. Res. 224–232, and S. Con. Res. 49–50. **Page 19211**

Measures Reported:

S. 1291, to provide for the acquisition of subsurface mineral interests in land owned by the Pascua Yaqui Tribe and land held in trust for the Tribe. (S. Rept. No. 109–116)

S. 518, to provide for the establishment of a controlled substance monitoring program in each State, with an amendment in the nature of a substitute. (S. Rept. No. 109–117)

S. 1231, to amend the Indian Self-Determination and Education Assistance Act to modify provisions relating to the National Fund for Excellence in American Indian Education, with an amendment in the nature of a substitute. (S. Rept. No. 109–118)

S. 1566, to reauthorize the Commodity Exchange Act. (S. Rept. No. 109–119)

S. 1567, to reauthorize and improve surface transportation safety programs. (S. Rept. No. 109–120)

Report to accompany S. 288, to extend Federal funding for operation of State high risk health insurance pools. (S. Rept. No. 109–121)

H.R. 804, to exclude from consideration as income certain payments under the national flood insurance program.

S. 1047, to require the Secretary of the Treasury to mint coins in commemoration of each of the Nation's past Presidents and their spouses, respectively to improve circulation of the $1 coin, to create a new bullion coin. **Page 19211**

Measures Passed:

Enrollment Correction: Senate agreed to H. Con. Res. 226, providing for a correction in the enrollment of H.R. 3. **Page 19069**

Protection of Lawful Commerce in Arms Act: By 65 yeas to 31 nays (Vote No. 219), Senate passed S. 397, to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages, injunctive or other relief resulting from the misuse of their products by others, after taking action on the following amendments proposed thereto: **Page 19115**

Adopted:

By 72 yeas to 26 nays (Vote No. 214), Craig Amendment No. 1644, to protect the rights of children who are victimized by crime to secure compensation from those who participate in the arming of criminals. **Page 19118**

By 87 yeas to 11 nays (Vote No. 216), Craig Amendment No. 1645, to regulate the sale and possession of armor piercing ammunition. **Page 19123**

Frist Modified Amendment No. 1606 (to Amendment No. 1605), to make clear that the bill does not apply to actions commenced by the Attorney General to enforce the Gun Control Act and National Firearms Act. **Page 19137**

Frist (for Craig) Modified Amendment No. 1605, to make clear that the bill does not apply to actions commenced by the Attorney General to enforce the Gun Control Act. **Page 19137**

Rejected:

By 35 yeas to 64 nays (Vote No. 215), Lautenberg/Corzine Amendment No. 1620, to exempt lawsuits involving injuries to children from the definition of qualified civil liability action. **Pages 19116, 19120**

By 31 yeas to 64 nays (Vote No. 217), Kennedy Amendment No. 1615, to expand the definition of armor piercing ammunition. **Pages 19120, 19125**

Corzine Amendment No. 1619, to protect the rights of law enforcement officers who are victimized by crime to secure compensation from those who participate in arming criminals. **Page 19125**

By 33 yeas to 63 nays (Vote No. 218), Reed Amendment No. 1642, in the nature of a substitute. **Page 19127**

Highway Extension: Senate passed H.R. 3512, to provide an extension of administrative expenses for highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century, clearing the measure for the President. **Page 19161**

USA PATRIOT and Terrorism Prevention Reauthorization Act: Senate passed H.R. 3199, to extend and modify authorities needed to combat terrorism, after striking all after the enacting clause and inserting in lieu thereof, the text of the committee-reported substitute to S. 1389, Senate companion measure. **Page 19306**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Specter, Hatch, Kyl, DeWine, Sessions, Roberts, Leahy, Kennedy, Rockefeller, and Levin. **Page 19306**

National Prostate Cancer Awareness Month: Senate agreed to S. Res. 230, designating September 2005 as "National Prostate Cancer Awareness Month". **Page 19332**

Transitional National Assembly of Iraq: Senate agreed to S. Res. 231, encouraging the Transitional National Assembly of Iraq to adopt a constitution that grants women equal rights under the law and to work to protect such rights. **Page 19332**

Controlled Substance Monitoring Program: Senate passed H.R. 1132, to provide for the establishment of a controlled substance monitoring program in each State, clearing the measure for the President. **Page 19333**

National Women's History Museum: Senate passed S. 501, to provide a site for the National Women's History Museum in the District of Columbia, after agreeing to the following amendment proposed thereto: **Page 19334**

Frist (for Collins) Amendment No. 1646, to specify that no Federal funds are to be used to establish, construct, or operate the National Women's History Museum. **Page 19334**

Federal, Food, Drug and Cosmetic Act: Senate passed S. 172, to amend the Federal Food, Drug, and Cosmetic Act to provide for the regulation of all contact lenses as medical devices, after agreeing to the committee amendment in the nature of a substitute, and the following amendments proposed thereto: **Page 19334**

Frist (for DeWine) Amendment No. 1647, in the nature of a substitute. **Page 19334**

CAFTA Implementation Act—Vote Change: A unanimous-consent request was granted permitting Senator Specter to change his yea vote to a nay vote on Vote No. 209, changing the outcome of the vote to 55 yeas to 45 nays relative to the July 28, 2005 passage of H.R. 3045, to implement the Dominican Republic-Central America-United States Free Trade Agreement. **Page 19184**

Department of the Interior Appropriations—Conference Report: By 99 yeas to 1 nay (Vote No. 210), Senate agreed to the conference report to accompany H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, clearing the measure for the President. **Pages 19062, 19070, 19108**

Legislative Branch Appropriations—Conference Report: By 96 yeas to 4 nays (Vote No. 211), Senate agreed to the conference report to accompany H.R. 2985, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2006, clearing the measure for the President. **Pages 19062, 19073, 19114**

Energy Policy Act—Conference Report: By 74 yeas to 26 nays (Vote No. 213), the conference report to accompany H.R. 6, to ensure jobs for our future with secure, affordable, and reliable energy, clearing the measure for the President. **Pages 19075, 19114**

During consideration of this measure today, Senate also took the following action:

By 71 yeas to 29 nays (Vote No. 212), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to the conference report. The point of order that the conference report was in violation of section 302(f) of the Congressional Budget Act of 1974 was not sustained. **Page 19115**

Transportation Equity Act—Conference Report: By 91 yeas to 4 nays (Vote No. 220), Senate agreed to the conference report to accompany H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, clearing the measure for the President. **Page 19140**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that during this adjournment of the Senate, the Majority Leader, Majority Whip and both Senators from Virginia, be authorized to sign duly enrolled bills or joint resolutions. **Page 19305**

Native Hawaiian Government Reorganization Act: Senate began consideration of the motion to proceed to consideration of S. 147, to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity. **Page 19305**

A motion was entered to close further debate on the motion to proceed to consideration of the bill and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Tuesday, September 6, 2005, at 5:30 p.m. **Page 19305**

Subsequently, the motion to proceed was withdrawn. **Page 19306**

Death Tax Permanency Act: Senate began consideration of the motion to proceed to consideration of H.R. 8, to make the repeal of the estate tax permanent. **Page 19306**

A motion was entered to close further debate on the motion to proceed to consideration of the bill and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture may occur on Tuesday, September 6, 2005. **Page 19306**

Nominations—Agreement: A unanimous-consent agreement was reached providing that all nominations received by the Senate during the 109th Congress, remain in status quo, during the August adjournment of the Senate, under the provisions of Rule XXXI, paragraph 6, of the Standing Rules of the Senate, with the exception of the nomination of John Robert Bolton, of Maryland, to be the U.S. Representative to the United Nations, with the rank and status of Ambassador, and the U.S. Representative in the Security Council of the United Nations, and to be U.S. Representative to the Sessions of the General Assembly of the United Nations during his tenure of service as U.S. Representative to the United Nations. **Page 19332**

Authority for Committees: A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate, all committees were authorized to file legislative and executive matters on Wednesday, August 31, 2005 from 10 a.m. until 12 noon. **Page 19335**

Authorizing Leadership to Make Appointments—Agreement: A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate, the President of the Senate, the President Pro Tempore, and the Majority and Minority Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate. **Page 19335**

Appointment:

British-American Interparliamentary Group: The Chair, on behalf of the President pro tempore, and upon the recommendation of the Majority Leader, pursuant to 22 U.S.C. 2761, as amended, appointed the following individuals as delegates of the Senate Delegation to the British-American Interparliamentary Group conference during the 109th Congress: Senators Gregg and Roberts. **Page 19334**

Executive Report of Committee: Senate received the following executive report of a committee:

Report to accompany Inter-American Convention Against Terrorism (Treaty Doc. 107–18) (Ex. Rept. 109–3). **Page 19211**

Nominations Confirmed: Senate confirmed the following nominations:

John C. Dugan, of Maryland, to be Comptroller of the Currency for a term of five years.

Timothy D. Adams, of Virginia, to be an Under Secretary of the Treasury.

Shara L. Aranoff, of Maryland, to be a Member of the United States International Trade Commission for a term expiring December 16, 2012.

James Philip Terry, of Virginia, to be Chairman of the Board of Veterans' Appeals for a term of six years.

Henrietta Holsman Fore, of Nevada, to be an Under Secretary of State (Management).

Sandra L. Pack, of Maryland, to be an Assistant Secretary of the Treasury.

James A. Rispoli, of Virginia, to be an Assistant Secretary of Energy (Environmental Management).

Charles S. Ciccolella, of Virginia, to be Assistant Secretary of Labor for Veterans' Employment and Training. (Prior to this action, Committee on Health, Education, Labor, and Pensions was discharged from further consideration.)

Randal Quarles, of Utah, to be an Under Secretary of the Treasury.

John M. Reich, of Virginia, to be Director of the Office of Thrift Supervision for a term of five years.

Kevin I. Fromer, of Virginia, to be a Deputy Under Secretary of the Treasury.

Katherine Hubay Peterson, of California, to be Ambassador to Republic of Botswana.

Alan W. Eastham, Jr., of Arkansas, to be Ambassador to the Republic of Malawi.

Henry Crumpton, of Virginia, to be Coordinator for Counterterrorism, with the rank and status of Ambassador at Large.

Granta Y. Nakayama, of Virginia, to be an Assistant Administrator of the Environmental Protection Agency.

Peter Manson Swaim, of Indiana, to be United States Marshal for the Southern District of Indiana for the term of four years.

Phillip Jackson Bell, of Georgia, to be Deputy Under Secretary of Defense for Logistics and Materiel Readiness.

Ronald M. Sega, of Colorado, to be Under Secretary of the Air Force.

Josette Sheeran Shiner, of Virginia, to be an Under Secretary of State (Economic, Business, and Agricultural Affairs).

Gillian Arlette Milovanovic, of Pennsylvania, to be Ambassador to the Republic of Macedonia.

Michael Retzer, of Mississippi, to be Ambassador to the United Republic of Tanzania.

Keith E. Eastin, of Texas, to be an Assistant Secretary of the Army.

Robert M. Kimmitt, of Virginia, to be Deputy Secretary of the Treasury.

Karen P. Hughes, of Texas, to be Under Secretary of State for Public Diplomacy, with the rank of Ambassador.

Kristen Silverberg, of Texas, to be an Assistant Secretary of State (International Organization Affairs).

James Cain, of North Carolina, to be Ambassador to Denmark.

Christopher Cox, of California, to be a Member of the Securities and Exchange Commission for the term expiring June 5, 2009.

Jendayi Elizabeth Frazer, of Virginia, to be an Assistant Secretary of State (African Affairs).

Michael J. Garcia, of New York, to be United States Attorney for the Southern District of New York for the term of four years.

William Robert Timken, Jr., of Ohio, to be Ambassador to the Federal Republic of Germany. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

William J. Burns, of the District of Columbia, to be Ambassador to the Russian Federation. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Roel C. Campos, of Texas, to be a Member of the Securities and Exchange Commission for a term expiring June 5, 2010.

Annette L. Nazareth, of the District of Columbia, to be a Member of the Securities and Exchange Commission for the remainder of the term expiring June 5, 2007.

Martin J. Gruenberg, of Maryland, to be Vice Chairperson of the Board of Directors of the Federal Deposit Insurance Corporation.

Martin J. Gruenberg, of Maryland, to be a Member of the Board of Directors of the Federal Deposit Insurance Corporation for the remainder of the term expiring December 27, 2006.

Richard Henry Jones, of Nebraska, to be Ambassador to Israel. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Francis Joseph Ricciardone, Jr., of New Hampshire, to be Ambassador to Egypt. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Martin J. Gruenberg, of Maryland, to be a Member of the Board of Directors of the Federal Deposit Insurance Corporation for a term expiring December 27, 2012.

52 Air Force nominations in the rank of general.

12 Army nominations in the rank of general.

6 Marine Corps nominations in the rank of general.

27 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Marine Corps, Navy. **Page 19328**

Nominations Received: Senate received the following nominations:

John G. Roberts, Jr., of Maryland, to be an Associate Justice of the Supreme Court of the United States.

Terry Neese, of Oklahoma, to be Director of the Mint for a term of five years.

Franklin L. Lavin, of Ohio, to be Under Secretary of Commerce for International Trade.

Francis Rooney, of Florida, to be Ambassador to the Holy See.

Josette Sheeran Shiner, of Virginia, to be United States Alternate Governor of the International Bank for Reconstruction and Development for a term of five years; United States Alternate Governor of the Inter-American Development Bank for a term of five years; United States Alternate Governor of the African Development Bank for a term of five years; United States Alternate Governor of the African Development Fund; United States Alternate Governor of the Asian Development Bank; and United States Alternate Governor of the European Bank for Reconstruction and Development.

Naomi Churchill Earp, of Virginia, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2010.

Mark Hofflund, of Idaho, to be a Member of the National Council on the Arts for the remainder of the term expiring September 3, 2008.

Robert Joseph Henke, of Virginia, to be an Assistant Secretary of Veterans Affairs (Management).

William F. Tuerk, of Virginia, to be Under Secretary of Veterans Affairs for Memorial Affairs.

1 Air Force nomination in the rank of general

1 Army nomination in the rank of general.

Routine lists in the Foreign Service, National Oceanic and Atmospheric Administration.

Page 19338

Nominations Withdrawn: Senate received notification of withdrawal of the following nominations:

Albert Henry Konetzni, Jr., of New York, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2009, which was sent to the Senate on January 4, 2005. **Page 19341**

Nominations: Returned to the President: The following nominations: were returned to the President failing of confirmation under Senate Rule XXXI at the time of the adjournment of the 109th Congress:

John Robert Bolton, of Maryland, to be the Representative of the United States of America to the United Nations, with the rank and status of Ambassador, and the Representative of the United States of America in the Security Council of the United Nations.

John Robert Bolton, of Maryland, to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations during his tenure of service as Representative of the United States of America to the United Nations. **Page 19332**

Messages From the House: **Page 19202**

Measures Referred: **Page 19203**

Enrolled Bills Presented: **Page 19203**

Executive Communications: **Page 19203**

Petitions and Memorials: **Page 19204**

Executive Report of Committee: **Page 19211**

Additional Cosponsors: **Page 19214**

Statements on Introduced Bills/Resolutions:

Page 19216

Additional Statements: **Page 19196**

Amendments Submitted: **Page 19295**

Authority for Committees to Meet: **Page 19295**

Privilege of the Floor: **Page 19295**

Record Votes: Eleven record votes were taken today. (Total—220) **Pages 19113–15, 19120, 19125, 19129, 19137, 19160**

Adjournment: Senate convened at 9 a.m. and, pursuant to the provisions of H. Con. Res. 225, adjourned at 8:35 p.m., until 12 noon, on Tuesday, September 6, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 19335.)

Committee Meetings

NOMINATIONS

Committee on Finance: Committee ordered favorably reported the nominations of Robert M. Kimmitt, of Virginia, to be Deputy Secretary, Randal Quarles, of Utah, to be an Under Secretary, Timothy D. Adams, of Virginia, to be an Under Secretary, Sandra L. Pack, of Maryland, to be an Assistant Secretary, Kevin I. Fromer, of Virginia, to be a Deputy Under Secretary, all of the Department of the Treasury, and Shara L. Aranoff, of Maryland, to be a Member of the United States International Trade Commission.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 24 public bills, H.R. 3616–3644; and 7 resolutions, H.J. Res. 63; H. Con. Res. 232; and H. Res. 417–421 were introduced. **Page 19059**

Additional Cosponsors: **Page 19061**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Bass to act as Speaker Pro Tempore for today. **Page 19015**

Recess: The House recessed at 9:09 a.m. and reconvened at 10:15 a.m. **Page 19016**

Surface Transportation Extension Act: The House passed H.R. 3512, to provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century, by voice vote.

Page 19016

Transportation Equity Act: A Legacy for Users—Conference Report: The House agreed to the conference report on H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, by a yea-and-nay vote of 412 yeas to 8 nays, Roll No. 453. **Page 19017**

H. Res. 399, the rule providing for consideration of the conference report, was agreed to by voice vote. **Page 19016**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, September 7. **Page 19029**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Gilchrest, Representative Wolf, and Representative Tom Davis of Virginia to act as Speaker pro tempore to sign enrolled bills and joint resolutions through September 6, 2005. **Page 19030**

Publication of the Rules of the Committee on Standards of Official Conduct for the 109th Congress: Agreed that the rules of the Committee on Standards of Official Conduct for the 109th Congress, adopted on May 4, 2005, be published. **Page 19030**

Senate Messages: Messages received from the Senate today appear on pages 19015, 19029, and 19056.

Senate Referrals: S. 1375 was referred to the Committees on Resources and the Judiciary; and S. Con. Res. 39 was referred to the Committee on Armed Services. **Page 19056**

Quorum Calls—Votes: One yea-and-nay vote developed during the proceedings today and appears on page 19029. There were no quorum calls.

Adjournment: The House met at 9 a.m. and at 2:45 p.m. on Friday, July 29, pursuant to the provisions of H. Con. Res. 225, stands adjourned until 2 p.m. on Tuesday, September 6.

Committee Meetings

No committee meetings were held.

Joint Meetings

TRANSPORTATION EQUITY ACT

Conferees on Thursday, July 28, 2005, agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs.

Thursday, September 1, 2005

Senate

Chamber Action

Routine Proceedings, pages 19417–23

Measures Introduced: One resolution was submitted: S. Con. Res. 51. **Page 19422**

Measures Reported:

Reported on Wednesday, August 31, during the adjournment:

S. 1295, to amend the Indian Gaming Regulatory Act to provide for accountability and funding of the National Indian Gaming Commission. (S. Rept. No. 109–122)

S. 1250, to reauthorize the Great Ape Conservation Act of 2000, with amendments. (S. Rept. No. 109–123)

S. 1339, to reauthorize the Junior Duck Stamp Conservation and Design Program Act of 1994. (S. Rept. No. 109–124)

S. 1340, to amend the Pittman-Robertson Wildlife Restoration Act to extend the date after which surplus funds in the wildlife restoration fund become available for apportionment. (S. Rept. No. 109–125)

S. 1415, to amend the Lacey Act Amendments of 1981 to protect captive wildlife and make technical corrections, with amendments. (S. Rept. No. 109–126)

H.R. 1428, to authorize appropriations for the National Fish and Wildlife Foundation. (S. Rept. No. 109–127)

Report to accompany S. 1307, to implement the Dominican Republic-Central America-United States Free Trade Agreement. (S. Rept. No. 109–128)

Report to accompany S. 1317, to provide for the collection and maintenance of cord blood units for the treatment of patients and research, and to amend the Public Health Service Act to authorize the Bone Marrow and Cord Blood Cell Transplantation Program to increase the number of transplants for recipients suitably matched to donors of bone marrow and cord blood. (S. Rept. No. 109–129)

S. 525, to amend the Child Care and Development Block Grant Act of 1990 to reauthorize the Act, to improve early learning opportunities and promote school preparedness, with an amendment in the nature of a substitute. (S. Rept. No. 109–130)

S. 1107, to reauthorize the Head Start Act, with an amendment in the nature of a substitute. (S. Rept. No. 109–131) **Page 19423**

Measures Passed:

Adjournment Resolution: Senate agreed to S. Con. Res. 51, providing for a conditional adjournment or recess of the Senate, and a conditional adjournment of the House of Representatives. **Page 19422**

Emergency Supplemental—Agreement: A unanimous-consent agreement was reached providing that notwithstanding the recess or adjournment of the Senate, the Senate may receive from the House an emergency supplemental appropriations bill for the relief of the victims of hurricane Katrina, and that the measure be considered read three times and passed and the motion to reconsider be laid upon the table, provided that the text of the House bill is identical to that which is at the desk. **Page 19421**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that the Majority Leader, the senior Senator from Mississippi, and the senior Senator from New Mexico be authorized to sign duly enrolled bills or joint resolutions during this adjournment of the Senate. **Page 19423**

Executive Reports of Committees:

Received on Wednesday, August 31, 2005 during the adjournment of the Senate:

Report to accompany U.N. Convention Against Transnational Organized Crime (Treaty Doc. 108–16) (Ex. Rept. 109–4).

Statements on Introduced Bills/Resolutions: **Page 19422**

Adjournment: Pursuant to the authority granted by section 2 of H. Con. Res. 225 of the 109th Congress, Senate convened at 10:02 p.m., and pursuant to the provisions of S. Con. Res. 51, adjourned at 10:39 p.m., until 12 noon, on Tuesday, September 6, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 19423.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. The House will meet at 1 p.m. on Friday, September 2.

Committee Meetings

No committee meetings were held.

Friday, September 2, 2005

Senate

Chamber Action

The Senate was not in session today. It will next meet on Tuesday, September 6, 2005, at 12 noon.

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 2 public bills, H.R. 3645–3646, were introduced. **Page 19461**

Additional Cosponsors: **Page 19461**

Reports Filed: Reports were filed as follows:

H.R. 1640, to ensure jobs for our future with secure and reliable energy, with an amendment (H. Rept. 109–215 Pt. 1) (filed on July 29, 2005); and

H.R. 610, to provide for Federal energy research, development, demonstration, and commercial application activities, with an amendment (H. Rept. 109–216 Pt. 1) (filed on July 29, 2005). **Page 19461**

Speaker: Read a letter from the Speaker wherein he appointed Representative DeLay to act as speaker pro tempore for today. **Page 19424**

Notification of Reassembly: Read the text of the formal notification sent to Members on Thursday, September 1, 2005, of the reassembling of the House. **Page 19424**

Member Resignation: Read a letter from Representative Cox, wherein he resigned as Representative of the 48th Congressional district of California, effective at 6 p.m. on August 2, 2005. **Page 19424**

Message From the Clerk: Read letters from the Clerk notifying the House that he received messages from the Senate. **Page 19425**

Making emergency supplemental appropriations to meet immediate needs arising from the consequences of Hurricane Katrina, for the fiscal year ending September 30, 2005—Order of Business: The House agreed that it shall be in order at any time without intervention of any point of order to consider H.R. 3645 in the House; the bill shall be considered as read; the previous question shall be considered as ordered on the bill to final passage without intervening motion except (1) 10 minutes of debate on the bill equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations and (2) one motion to recommit; clause 10 of rule 20 shall not apply to the question of passage of the bill; and all Members may have 5 legislative days within which to revise and extend their remarks on the bill. **Page 19425**

Summer District Work Period: The House agreed to without objection S. Con. Res. 51, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate. **Page 19443**

Senate Message: Messages received from the Senate today appear on pages 19424 and 19459.

Speaker pro tempore: Read a letter from the Speaker wherein he appointed Representative Thornberry to act as Speaker pro tempore to sign enrolled bills and joint resolutions through September 6, 2005. **Page 19459**

Quorum Calls—Votes: There were no yea-and-nay votes, and there were no recorded votes. There were no quorum calls.

Adjournment: The House met at 1 p.m. and adjourned at 3:57 p.m. September 2, pursuant to the provisions of S. Con. Res. 51, stands adjourned until 2 p.m. on Tuesday, September 6.

Committee Meetings

No committee meetings were held.

◆◆◆◆◆◆◆◆◆◆◆◆

Tuesday, September 6, 2005

Senate

Chamber Action

Routine Proceedings, pages 19465–19554

Measures Introduced: Eight bills and two resolutions were introduced as follows: S. 1610–1617, S. Res. 233, and S. Con. Res. 52. **Page 19505**

Measures Reported:

S. 1410, to reauthorize the Neotropical Migratory Bird Conservation Act. (S. Rept. No. 109–132) **Page 19504**

Measures Passed:

Use of Capitol Catafalque: Senate agreed to S. Con. Res. 52, providing for the use of the catafalque situated in the crypt beneath the Rotunda of the Capitol in connection with memorial services to be conducted in the Supreme Court Building for the late honorable William H. Rehnquist, Chief Justice of the United States. **Page 19489**

Hurricane Katrina Resolution: By a unanimous vote of 94 yeas (Vote No. 221), Senate agreed to S. Res. 233, expressing the condolences of the Nation to the victims of Hurricane Katrina, commending the resiliency of the people of the States of Louisiana, Mississippi, and Alabama, and committing to stand by them in the relief and recovery efforts. **Page 19489**

Native Hawaiian Government Reorganization Act—Cloture Vote Vitiation: A unanimous-consent agreement was reached providing that the Senate vitiate the vote on the motion to invoke cloture on the motion to proceed to consideration of S. 147, to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity. **Page 19465**

Death Tax Permanency Act—Cloture Vote Vitiation: A unanimous-consent agreement was reached providing that the Senate vitiate the vote on the motion to invoke cloture on the motion to proceed to consideration of H.R. 8, to make the repeal of the estate tax permanent. **Page 19465**

Executive Reports of Committees: Senate received on Wednesday, August 31, 2005 during the adjournment of the Senate, the following executive report of a committee:

Report to accompany U.N. Convention Against Transnational Organized Crime (Treaty Doc. 108–16) (Ex. Rept. 109–4). **Page 19504**

Notification to the Senate: Senate received a communication from Associate Justice of the Supreme Court of the United States, the Honorable Antonin Scalia, notifying the Senate of the death of the Chief Justice of the United States, the late Honorable William H. Rehnquist. **Page 19553**

Nominations Received: Senate received the following nominations:

John G. Roberts, Jr., of Maryland, to be Chief Justice of the United States.

James M. Andrew, of Georgia, to be Administrator, Rural Utilities Service, Department of Agriculture.

Michael W. Wynne, of Florida, to be Secretary of the Air Force.

Donald C. Winter, of Virginia, to be Secretary of the Navy.

Delores M. Etter, of Maryland, to be an Assistant Secretary of the Navy.

Orlando J. Cabrera, of Florida, to be an Assistant Secretary of Housing and Urban Development.

Jeffrey D. Jarrett, of Pennsylvania, to be an Assistant Secretary of Energy (Fossil Energy).

Santanu K. Baruah, of Oregon, to be Assistant Secretary of Commerce for Economic Development.

Lyons Gray, of North Carolina, to be Chief Financial Officer, Environmental Protection Agency.

Clay Lowery, of Virginia, to be a Deputy Under Secretary of the Treasury.

John E. Maupin, Jr., of Tennessee, to be a Member of the Social Security Advisory Board for a term expiring September 30, 2010.

Ellen R. Sauerbrey, of Maryland, to be an Assistant Secretary of State (Population, Refugees, and Migration).

Jacqueline Ellen Schafer, of the District of Columbia, to be an Assistant Administrator of the United States Agency for International Development.

Mark McKinnon, of Texas, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2008.

Brenda LaGrange Johnson, of New York, to be Ambassador to Jamaica.

Alexander R. Vershbow, of the District of Columbia, to be Ambassador to the Republic of Korea.

David B. Dunn, of California, to be Ambassador to the Togolese Republic.

Thomas A. Shannon, Jr., of Virginia, to be an Assistant Secretary of State (Western Hemisphere Affairs).

Thomas O. Barnett, of Virginia, to be an Assistant Attorney General.

James S. Halpern, of the District of Columbia, to be a Judge of the United States Tax Court for a term of fifteen years.

Emilio T. Gonzalez, of Florida, to be Director of the Bureau of Citizenship and Immigration Services, Department of Homeland Security.

John M. Molino, of Virginia, to be an Assistant Secretary of Veterans Affairs (Policy and Planning).

Lisette M. Mondello, of Texas, to be an Assistant Secretary of Veterans Affairs (Public and Intergovernmental Affairs).

George J. Opfer, of Virginia, to be Inspector General, Department of Veterans Affairs.

3 Air Force nominations in the rank of general.

38 Army nominations in the rank of general.

1 Coast Guard nomination in the rank of admiral.

Routine lists in the Air Force. **Page 19553**

Nominations Withdrawn: Senate received notification of withdrawal of the following nomination:

John G. Roberts, Jr., of Maryland, to be an Associate Justice of the Supreme Court of the United States, which was sent to the Senate on July 29, 2005. **Page 19554**

Messages From the House: **Page 19493**

Executive Communications: **Page 19493**

Additional Cosponsors: **Page 19506**

Statements on Introduced Bills/Resolutions: **Page 19508**

Additional Statements: **Page 19492**

Authority for Committees to Meet: **Page 19553**

Record Votes: One record vote was taken today. (Total—221) **Page 19490**

Adjournment: Senate convened at 12 noon, and by unanimous consent adjourned at 6:24 p.m., until 10:30 a.m., on Wednesday, September 7, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 19489.)

Committee Meetings

GAS PRICES

Committee on Energy and Natural Resources: Committee concluded a hearing to examine gasoline prices and factors contributing to current high prices such as global oil demand, constraints on refinery capacity, and increased speculation in the futures market, after receiving testimony from Rebecca Watson, Assistant Secretary of the Interior for Land and Minerals Management; Guy F. Caruso, Administrator, Energy Information Administration, Department of Energy; James A. Overdahl, Chief Economist, Commodity Futures Trading Commission; Bob Slaughter, National Petrochemical and Refiners Association, Washington, D.C.; William S. Shipley III, Shipley Stores, LLC, York, Pennsylvania, on behalf of the National Association of Convenience Stores and the Society of Independent Gasoline Marketers of America; Robert L. Darbelnet, AAA, Heathrow, Florida; and John Dowd, Sanford C. Bernstein and Co., LLC, New York, New York.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 17 public bills, H.R. 3647–3663; and 4 resolutions, H. Con. Res. 233, and H. Res. 422–424, were introduced. **Page 19580**

Additional Cosponsors: **Page 19581**

Reports Filed: There were no reports filed today.

Suspensions: The House agreed to suspend the rules and pass the following measures:

Commemorating the 60th anniversary of V–J Day and the end of World War II in the Pacific: H. Res 360, commemorating the 60th anniversary of V–J Day and the end of World War II in the Pacific, by a 2/3 yea-and-nay vote of 394 yeas with none voting "nay", Roll no. 454; and **Pages 19558, 19567**

Recognizing the 30th anniversary of the Helsinki Final Act: S.J. Res. 19, amended, a joint resolution calling upon the President to issue a proclamation recognizing the 30th anniversary of the Helsinki Final Act, by a 2/3 yea-and-nay vote of 393 yeas to one nay, Roll no. 455. **Pages 19563, 19568**

Recess: The House recessed at 3:02 p.m. and reconvened at 6:34 p.m. **Page 19566**

Member Sworn—Second Congressional District of Ohio: Representative-elect Jean Schmidt presented herself in the well of the House and was administered the Oath of Office by the Speaker. **Page 19566**

Moment of Silence: The House observed a moment of silence in memory of the victims of Hurricane Katrina. **Page 19568**

Communication from Associate Justice Antonin Scalia: Justice Scalia formally notified the House of the death of the Chief Justice of the United States, William H. Rehnquist. **Page 19568**

Expressing the profound sorrow of the House of Representative on the death of the Honorable William H. Rehnquist: The House agreed to without objection H. Res. 422, expressing the profound sorrow of the House of Representatives on the death of the Honorable William H. Rehnquist, Chief Justice of the United States. **Page 19568**

Providing for the use of the catafalque situated in the crypt beneath the Rotunda of the Capitol: The House agreed to without objection S. Con. Res 52, providing for the use of the catafalque in the crypt beneath the Rotunda of the Capitol in connection with memorial services to be conducted in the Supreme Court Building for the late honorable William H. Rehnquist, Chief Justice of the United States. **Page 19569**

Senate Message: Messages received from the Senate today appear on pages 19555 and 19566.

Senate Referrals: S. 172 was referred to the Committee on Energy and Commerce; S. 397 was held at the desk; and S. 501 was referred to the Committee on Transportation and Infrastructure. **Page 19578**

Recess: The House recessed at 7:23 p.m. and reconvened at 10:41 p.m. **Page 19569**

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages 19567–68. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 11:44 p.m.

Committee Meetings

MANUFACTURING TECHNOLOGY COMPETITIVENESS ACT

Committee on Rules: Testimony was heard from Chairman Boehlert and Representatives Ehlers, Carnahan and Larson of Connecticut, but action was deferred on H.R. 250, Manufacturing Technology Competitiveness Act of 2005.

Résumé of Congressional Activity

FIRST SESSION OF THE ONE HUNDRED NINTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 4 through July 31, 2005

	Senate	*House*	*Total*
Days in session	101	87	..
Time in session	768 hrs., 58′	665 hrs., 9′	..
Congressional Record:			
Pages of proceedings	9,591	7,614	..
Extensions of Remarks	..	..	..
Public bills enacted into law	9	33	42
Private bills enacted into law	..	..	..
Bills in conference	5	4	..
Measures passed, total	337	392	729
Senate bills	93	14	..
House bills	46	148	..
Senate joint resolutions	2	..	..
House joint resolutions	4	6	..
Senate concurrent resolutions	14	6	..
House concurrent resolutions	25	56	..
Simple resolutions	153	162	..
Measures reported, total	*155	*205	360
Senate bills	120	2	..
House bills	13	120	..
Senate joint resolutions	2	..	..
House joint resolutions	..	2	..
Senate concurrent resolutions	1	..	..
House concurrent resolutions	..	5	..
Simple resolutions	19	76	..
Special reports	10	5	..
Conference reports	..	6	..
Measures pending on calendar	120	62	..
Measures introduced, total	1,904	4,360	6,264
Bills	1,602	3,644	..
Joint resolutions	22	63	..
Concurrent resolutions	50	232	..
Simple resolutions	230	421	..
Quorum calls	3	1	..
Yea-and-nay votes	220	204	..
Recorded votes	..	248	..
Bills vetoed	..	..	..
Vetoes overridden	..	..	..

*These figures include all measures reported, even if there was no accompanying report. A total of 121 reports have been filed in the Senate, a total of 216 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 4 through July 31, 2005

Civilian nominations, totaling 349, disposed of as follows:

Confirmed	195
Unconfirmed	147
Withdrawn	5
Returned to White House	2

Other Civilian nominations, totaling 1,379, disposed of as follows:

Confirmed	1,139
Unconfirmed	240

Air Force nominations, totaling 8,300, disposed of as follows:

Confirmed	5,829
Unconfirmed	2,471

Army nominations, totaling 4,684, disposed of as follows:

Confirmed	4,663
Unconfirmed	21

Navy nominations, totaling 2,113, disposed of as follows:

Confirmed	2,108
Unconfirmed	5

Marine Corps nominations, totaling 1,300, disposed of as follows:

Confirmed	1,298
Unconfirmed	2

Summary

Total nominations carried over from the First Session	0
Total nominations received this Session	18,125
Total confirmed	15,232
Total unconfirmed	2,886
Total withdrawn	5
Total returned to the White House	2

Résumé of Congressional Activity

FIRST SESSION OF THE ONE HUNDRED NINTH CONGRESS

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DATA ON LEGISLATIVE ACTIVITY

January 4 through August 31, 2005

	Senate	*House*	*Total*
Days in session	101	87	..
Time in session	768 hrs., 58′	665 hrs., 9′	..
Congressional Record:			
Pages of proceedings	9,591	7,614	..
Extensions of Remarks	..	..	..
Public bills enacted into law	14	46	60
Private bills enacted into law	..	..	..
Bills in conference	5	4	..
Measures passed, total	337	392	729
Senate bills	93	14	..
House bills	46	148	..
Senate joint resolutions	2	..	..
House joint resolutions	4	6	..
Senate concurrent resolutions	14	6	..
House concurrent resolutions	25	56	..
Simple resolutions	153	162	..
Measures reported, total	*163	*205	368
Senate bills	127	2	..
House bills	14	120	..
Senate joint resolutions	2	..	..
House joint resolutions	..	2	..
Senate concurrent resolutions	1	..	..
House concurrent resolutions	..	5	..
Simple resolutions	19	76	..
Special reports	10	5	..
Conference reports	..	6	..
Measures pending on calendar	120	62	..
Measures introduced, total	1,904	4,360	5,962
Bills	1,602	3,644	..
Joint resolutions	22	63	..
Concurrent resolutions	50	232	..
Simple resolutions	230	421	..
Quorum calls	3	1	..
Yea-and-nay votes	220	204	..
Recorded votes	..	248	..
Bills vetoed	..	..	..
Vetoes overridden	..	..	..

* These figures include all measures reported, even if there was no accompanying report. A total of 131 reports have been filed in the Senate, a total of 216 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 4 through August 31, 2005

Civilian nominations, totaling 349, disposed of as follows:

Confirmed	195
Unconfirmed	147
Withdrawn	5
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Summary

Total nominations carried over from the First Session	0
Total nominations received this Session	18,125
Total confirmed	15,232
Total unconfirmed	2,886
Total withdrawn	5
Total returned to the White House	2

Wednesday, September 7, 2005

Senate

Chamber Action

Routine Proceedings, pages 19596–19643

Measures Introduced: Fourteen bills and two resolutions were introduced, as follows: S. 1618–1631, and S. Res. 234–235. **Page 19630**

Measures Reported:

S. 1265, to make grants and loans available to States and other organizations to strengthen the economy, public health, and environment of the United States by reducing emissions from diesel engines, with an amendment in the nature of a substitute. (S. Rept. No. 109–133)

S. 1021, to reauthorize the Workforce Investment Act of 1998, with an amendment in the nature of a substitute. (S. Rept. No. 109–134) **Page 19630**

Measures Passed:

Honoring Chief Justice William H. Rehnquist: By a unanimous vote of 95 yeas (Vote No. 222), Senate agreed to S. Res. 234, relative to the death of William H. Rehnquist, Chief Justice of the United States. **Page 19610**

Permitting Solicitation of Donations: Senate agreed to S. Res. 235, to permit the solicitation of donations in Senate buildings for the relief of victims of Hurricane Katrina. **Page 19642**

Science, State, Justice, Commerce Appropriations—Agreement: A unanimous-consent agreement was reached providing that on Thursday, September 8, 2005, following morning business, Senate begin consideration of H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and that the committee-reported amendment in the nature of a substitute be agreed to as original text for the purposes of further amendment with no points of order waived. **Page 19642**

Nominations Confirmed: Senate confirmed the following nomination on Friday, July 29, 2005:

Francis Joseph Ricciardone, Jr., of New Hampshire, to be Ambassador to the Arab Republic of Egypt. **Pages 19328, 19643**

Additional Cosponsors: **Page 19631**

Statements on Introduced Bills/Resolutions: **Page 19632**

Additional Statements: **Page 19628**

Authority for Committees to Meet: **Page 19642**

Record Votes: One record vote was taken today. (Total—222) **Page 19610**

Adjournment: Senate convened at 10:30 a.m., and adjourned at 6:01 p.m., until 9:30 a.m., on Thursday, September 8, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 19642.)

Committee Meetings

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 31 public bills, H.R. 3664–3694; 1 private bill, H.R. 3695; and 8 resolutions, H. Con. Res. 234–236; and H. Res. 425, 427–431, were introduced. **Page 19712**

Additional Cosponsors: **Page 19714**

Reports Filed: Report was filed today as follows:

H. Res. 426, providing for consideration of motions to suspend the rules (Rept. 109–217). **Page 19712**

Speaker: Read a letter from the Speaker wherein he appointed Representative Simpson to act as Speaker pro tempore for today. **Page 19644**

Honoring and recognizing the distinguished service, career, and achievements of Chief Justice William Hubbs Rehnquist upon his death—Order of Business: The House agreed that it shall be in order at any time to consider in the House H. Res. 423; the resolution shall be considered as read; the previous question shall be considered as ordered on the resolution to its adoption without intervening motion or demand for division of the question except: (1) One hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary; and (2) one motion to recommit. **Page 19646**

Honoring and recognizing the distinguished service, career, and achievements of Chief Justice William Hubbs Rehnquist upon his death: The House agreed to H. Res. 423, honoring and recognizing the distinguished service, career, and achievements of Chief Justice William Hubbs Rehnquist upon his death. **Page 19647**

Expressing the condolences of the Nation to the victims of Hurricane Katrina—Order of Business: The House agreed that it shall be in order at any time to consider in the House H. Res. 425; the resolution shall be considered as read; the previous question shall be considered as ordered on the resolution to its adoption without intervening motion or demand for division of the question except: (1) One hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure; and (2) one motion to recommit. **Page 19650**

Expressing the condolences of the Nation to the victims of Hurricane Katrina: The House agreed to H. Res. 425, expressing the condolences of the Nation to the victims of Hurricane Katrina, commending the resiliency of the people of the States of Louisiana, Mississippi, and Alabama, and committing to stand by them in the relief and recovery effort. **Page 19650**

Recess: The House recessed at 11:53 a.m. and reconvened at 4:30 p.m. **Page 19659**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Federal Judiciary Emergency Special Sessions Act: H.R. 3650, to allow United States courts to conduct business during emergency conditions, by a ⅔ yea-and-nay vote of 409 yeas with none voting "nay", Roll No. 456; and **Pages 19659, 19665**

Pell Grant Hurricane and Disaster Relief Act: H.R. 3169, amended, providing the Secretary of Education with waiver authority for students who are eligible for Pell Grants who are adversely affected by a natural disaster, by a ⅔ yea-and-nay vote of 412 yeas with none voting "nay", Roll No. 457. **Pages 19662, 19666**

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages 19665 and 19666. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:58 p.m.

Committee Meetings

KELO v. CITY OF NEW LONDON SUPREME COURT DECISION; STRENGTHENING THE OWNERSHIP OF PRIVATE PROPERTY ACT

Committee on Agriculture: Held a hearing to review the Kelo v. City of New London U.S. Supreme Court decision and H.R. 3405, Strengthening the Ownership of Private Property Act of 2005. Testimony was heard from Representatives Bonilla and Waters; and public witnesses.

IRAQ RECONSTRUCTION

Committee on Appropriations: Subcommittee on Foreign Operations, Export Financing, and Related Programs held a hearing on Iraq Reconstruction. Testimony was heard from the following officials of the Department of State: Ambassador James Jeffrey, Senior Advisor on Iraq to the Secretary; and James Kunder, Assistant Administrator for Asia and the Near East, U.S. Agency for International Development; and Stuart W. Bowen, Jr., Special Inspector General for Iraq Reconstruction.

KATRINA RECOVERY

Committee on Energy and Commerce: Held a hearing on Recovering from Katrina. Testimony was heard from Governor Haley Barbour of Mississippi; Scott A. Angelle, Secretary, Department of Natural Resources, on behalf of Kathleen Blanco, Governor of Louisiana; the following officials of the Department of Energy: David K. Garman, Under Secretary, Energy, Science and Environment; and Guy F. Caruso, Administrator, Energy Information Administration; John H. Seessel, Associate General Counsel for Energy, FTC; Kenneth P. Moran, Acting Director, Office of Homeland Security, Enforcement Bureau, FCC; and public witnesses.

WOMEN AND CANCER

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing entitled "Women and Cancer—Where Are We in Prevention, Early Detection and Treatment of Gynecologic Cancers?" Testimony was heard from the following officials of the Department of Health and Human Services: Edward L. Trimble, M.D., Head of the Surgery Section, Division of Cancer Treatment and Diagnosis, National Cancer Institute; Ed Thompson, M.D., Chief of Public Health Practice, Centers for Disease Control and Prevention; and Richard Pazdur, M.D., Director, Division of Oncology Drug Products, Center for Drug Evaluation and Research, FDA; and public witnesses.

LONDON BOMBINGS

Committee on Homeland Security: Subcommittee on Economic Security, Infrastructure Protection, and Cybersecurity held a hearing entitled "The London Bombings: Protecting Civilian Targets from Terrorist Attacks." Testimony was heard from public witnesses.

CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Committee on Rules: Committee granted, by voice vote, a rule providing that suspensions will be in order at any time on the legislative day of Thursday, September 8, 2005. The rule provides that the Speaker or his designee will consult with the Minority Leader or her designee on any suspension considered under the rule. Testimony was heard from Representative Obey.

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Thursday, September 8, 2005

Senate

Chamber Action

Routine Proceedings, pages 19808–19936

Measures Introduced: Sixteen bills were introduced, as follows: S. 1632–1647. **Page 19903**

Measures Reported:

Special Report entitled "Review of Legislative Activity During the 108th Congress". (S. Rept. No. 109–135) **Page 19902**

Measures Passed:

Federal Judiciary Emergency Special Sessions Act: Senate passed S. 1634, to allow United States courts to conduct business during emergency conditions. **Page 19842**

Federal Judiciary Emergency Special Sessions Act: Senate passed H.R. 3650, to allow United States courts to conduct business during emergency conditions, clearing the measure for the President. **Page 19842**

Second Emergency Supplemental Appropriations Act: By a unanimous vote of 97 yeas (Vote No. 223), Senate passed H.R. 3673, making further emergency supplemental appropriations to meet immediate needs arising from the consequences of Hurricane Katrina, for the fiscal year ending September 30, 2005, clearing the measure for the President. **Page 19874**

National Flood Insurance Program: Senate passed H.R. 804, to exclude from consideration as income certain payments under the national flood insurance program, clearing the measure for the President. **Page 19932**

Commerce/Justice/Science Appropriations: Senate began consideration of H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, agreeing to the committee amendment in the nature of a substitute, which will be considered as original text for the purpose of further amendment, and taking action on the following amendments proposed thereto: **Pages 19812, 19844**

Adopted:

Shelby Amendment No. 1655, to provide funding for programs to promote travel to the United States. **Page 19847**

Shelby Amendment No. 1656, to provide funding and personnel for the National Hurricane Center. **Page 19847**

Shelby Amendment No. 1657, to strike certain provisions relating to Universal Service Fund program under the Federal Communications Commission. **Page 19847**

Shelby (for Dorgan) Amendment No. 1658, to expand the disaster loans that shall not be sold by the Small Business Administration. **Page 19847**

Pending:

Lincoln Amendment No. 1652, to provide for temporary Medicaid disaster relief for survivors of Hurricane Katrina. **Pages 19845, 19851**

Harkin Amendment No. 1659, to increase the appropriation for nationwide legal services field programs and to provide additional funds to programs providing legal services to the victims of Hurricane Katrina. **Page 19849**

Dayton Amendment No. 1654, to increase funding for Justice Assistance Grants. **Page 19853**

Biden Amendment No. 1661, to provide emergency funding for victims of Hurricane Katrina. **Page 19858**

Sarbanes Amendment No. 1662, to assist the victims of Hurricane Katrina with finding new housing. **Page 19860**

Dorgan Amendment No. 1665, to prohibit weakening any law that provides safeguards from unfair foreign trade practices. **Page 19864**

Sununu Amendment No. 1669, to increase funding for the State Criminal Alien Assistance Program, the Southwest Border Prosecutors Initiative, and transitional housing for women subjected to domestic violence. **Page 19868**

A notice of intent was submitted to suspend paragraph 4 of Rule XVI of the Standing Rules of the Senate for the purpose of proposing a Dorgan Amendment to the bill. **Page 19870**

A unanimous-consent agreement was reached providing that only certain amendments be in order to the bill, provided further, that they be subject to second-degrees which are relevant to the first-degree to which they are offered. **Page 19932**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Friday, September 9, 2005. **Page 19932**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that on Thursday, September 8, 2005, the Majority Leader, be authorized to sign duly enrolled bills. **Page 19932**

Coal/Oil-Direct Utility Units Rule: A unanimous-consent agreement was reached providing that on Monday, September 12, 2005, at 5:30 p.m., Senate proceed to a period of morning business for one hour; that following the use or yielding back of time, Senate proceed to a vote on the motion to proceed to S.J. Res. 20, disapproving a rule promulgated by the Administrator of the Environmental Protection Agency to delist coal and oil-direct utility units from the source category list under the Clean Air Act; that if the motion to proceed is agreed to, the statutory time limit be reduced to 2 hours equally divided and following the use or yielding back of time, the joint resolution be read a third time and the Senate proceed to a vote on passage of the resolution. **Page 19932**

Chief Justice Rehnquist Tributes: A unanimous-consent agreement was reached providing that Senators be permitted to submit tributes to Chief Justice Rehnquist for the record until September 30, 2005, and that all tributes be printed as a Senate document. **Page 19932**

Messages From the President: Senate received the following messages from the President of the United States:

Transmitting, pursuant to the Davis-Bacon Act, a report on the suspension of Subchapter IV of Chapter 31 of Title 40, United States Code, within a limited geographic area in response to the national emergency caused by Hurricane Katrina; which was referred to the Committee on Health, Education, Labor, and Pensions. (PM–20) **Page 19902**

Transmitting, pursuant to law, a report on the continuation of the national emergency with respect to certain terrorist attacks; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–21) **Page 19902**

Nominations Received: Senate received the following nominations:

Charles R. Christopherson, Jr., of Texas, to be Chief Financial Officer, Department of Agriculture.

Edward F. Sproat III, of Pennsylvania, to be Director of the Office of Civilian Radioactive Waste Management, Department of Energy.

Dale W. Meyerrose, of Indiana, to be Chief Information Officer, Office of the Director of National Intelligence.

7 Coast Guard nominations in the rank of admiral.

Routine lists in the Air Force, Army, Coast Guard, Marine Corps, Navy. **Page 19933**

Messages From the House: **Page 19900**

Executive Communications: **Page 19900**

Executive Reports of Committees: **Page 19903**

Additional Cosponsors: **Page 19904**

Statements on Introduced Bills/Resolutions: **Page 19905**

Additional Statements: **Page 19892**

Amendments Submitted: **Page 19923**

Authority for Committees to Meet: **Page 19931**

Privilege of the Floor: **Page 19931**

Record Votes: One record vote was taken today. (Total—223) **Page 19882**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 8:12 p.m., until 9:30 a.m., on Friday, September 9, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 19932.)

Committee Meetings

COMMODITY FUTURES MODERNIZATION ACT

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the proposed reauthorization of the Commodity Futures Trading Commission, focusing on the Commodity Futures Modernization Act of 2000 and recent market developments, after receiving testimony from Randy K. Quarles, Under Secretary of the Treasury for Domestic Finance; Robert L.D. Colby, Deputy Director, Division of Market Regulation, U.S. Securities and Exchange Commission; Patrick J. McCarty, General Counsel, Commodity Futures Trading Commission; Patrick M. Parkinson, Deputy Director, Division of Research and Statistics, Board of Governors of the Federal Reserve System; Charles P. Carey, Chicago Board of Trade, Terrence A. Duffy, Chicago Mercantile Exchange Holdings, Inc., and Daniel J. Roth, National Futures Association, all of Chicago, Illinois; John M. Damgard, Futures Industry Association, and Mark Lackritz, Securities Industry Association, both of Washington, D.C.; Meyer S. Frucher, Philadelphia Stock Exchange, Philadelphia, Pennsylvania, on behalf of the U.S. Options Exchange Coalition; and Robert G. Pickel, International Swaps and Derivatives Association, Inc., New York, New York.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Robert A. Mosbacher, of Texas, to be President of the Overseas Private Investment Corporation, who was introduced by Senators Hutchison and Cornyn, Robert B. Holland III, of Texas, to be United States Executive Director of the International Bank for Reconstruction and Development, who was introduced by Senator Hutchison, and Jan E. Boyer, of Texas, to be United States Alternate Executive Director of the Inter-American Development Bank, who was introduced by Senator Hagel, after the nominees testified and answered questions in their own behalf.

HURRICANE KATRINA

Committee on Health, Education, Labor, and Pensions: Committee met to discuss rebuilding lives and communities regarding Hurricane Katrina after hearing from numerous public witnesses.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported the following bills:

S. 1614, to extend the authorization of programs under the Higher Education Act of 1965, with an amendment in the nature of a substitute; and

An original bill entitled "Defined Benefit Security Act of 2005".

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 1197, to reauthorize the Violence Against Women Act of 1994, with an amendment in the nature of a substitute; and

The nomination of Kenneth L. Wainstein, of Virginia, to be United States Attorney for the District of Columbia, Department of Justice.

Also, Committee approved the issuance of various subpoenas relative to asbestos matters.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 39 public bills, H.R. 3696–3724; and 7 resolutions, H. Con. Res. 237–239 and H. Res. 432–435, were introduced. **Page 19805**

Additional Cosponsors: **Page 19806**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative LaTourette to act as speaker pro tempore for today. **Page 19737**

Consideration of Suspensions: The House agreed to H. Res. 426, providing for consideration of motions to suspend the rules, by a recorded vote of 235 ayes to 179 noes, Roll No. 459, after agreeing to order the previous question by a yea-and-nay vote of 221 yeas to 193 nays, Roll No. 458. **Page 19739**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Increasing the borrowing authority of the Federal Emergency Management Agency for carrying out the national flood insurance program: H.R. 3669, to temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the national flood insurance program, by a ⅔ yea-and-nay vote of 416 yeas with none voting "nay", Roll No. 461; **Pages 19749, 19777**

Student Grant Hurricane Disaster Relief Act: H.R. 3668, providing the Secretary of Education with waiver authority for students who are eligible for Federal student grant assistance who are adversely affected by a major disaster, by a ⅔ yea-and-nay vote of 414 yeas with none voting "nay", Roll No. 462; **Pages 19753, 19778**

TANF Emergency Response and Recovery Act of 2005: H.R. 3672, amended, providing assistance to families affected by Hurricane Katrina, through the program of block grants to States for temporary assistance for needy families; **Page 19757**

Expressing the sincere gratitude of the House of Representatives to the foreign individuals, organizations, and governments that have offered assistance to those who have been affected by Hurricane Katrina: H. Res. 428, Expressing the sincere gratitude of the House of Representatives to the foreign individuals, organizations, and governments that have offered material assistance and other forms of support to those who have been affected by Hurricane Katrina, by a ⅔ yea-and-nay vote of 410 yeas with none voting "nay", Roll No. 463; **Page 19763, 19779**

Relating to the terrorist attacks against the United States on September 11, 2001: H. Res 427, Relating to the terrorist attacks against the United States on September 11, 2001, by a ⅔ yea-and-nay vote of 402 yeas to 6 nays, Roll No. 402; and **Pages 19765, 19779**

Making emergency supplemental appropriations for 2005: H.R. 3673, making further emergency supplemental appropriations to meet immediate needs arising from the consequences of Hurricane Katrina, for the fiscal year ending September 30, 2005, by a ⅔ yea-and-nay vote of 410 yeas to 11 nays, Roll No. 460. **Page 19768**

Moment of Silence: In recognition of the approaching anniversary of September 11, 2001, the House observed a moment of silence for the victims of the terrorist attacks that occurred on that date. **Page 19779**

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at 12 p.m. on Monday, September 12, and when the House adjourns on Monday, it adjourn to meet at 12:30 p.m. on Tuesday, September 13, 2005, for Morning Hour debate. **Page 19782**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, September 14. **Page 19782**

Late Report: Agreed that the Committee on the Judiciary may have until midnight on Friday, September 9, 2005, to file a report to accompany H.R. 3132, to make improvements to the national sex offender registration program. **Page 19782**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Wolf to act as Speaker pro tempore to sign enrolled bills and joint resolutions through September 13, 2005. **Page 19801**

Presidential Message: Read a message from the President wherein he notified Congress of the continuation of the national emergency with respect to the terrorist attacks on the United States of September 11, 2001—referred to the Committee on International Relations and ordered printed (H. Doc. 109–54). **Page 19801**

Presidential Message: Read a message from the President wherein he notified Congress that he has exercised his statutory authority to suspend the provisions of 40 U.S.C. 3141–3148 in designated areas in the States of Alabama, Florida, Louisiana, and Mississippi—referred to the Committee on Education and the Workforce and ordered to be printed (H. Doc. 109–55). **Page 19802**

Senate Message: Messages received from the Senate today appear on pages 19757 and 19802.

Senate Referrals: S. 1634 was held at the desk.

Quorum Calls—Votes: Six yea-and-nay votes, and one recorded vote developed during the proceedings of today and appear on pages 19748–49 and 19777–80. There were no quorum calls.

Adjournment: The house met at 10 a.m. and adjourned at 8:05 p.m.

Committee Meetings

MEDICAID: EMPOWERING BENEFICIARIES ON THE ROAD TO REFORM

Committee on Energy and Commerce: Held a hearing on Medicaid: Empowering Beneficiaries on the Road to Reform. Testimony was heard from David Parrella, Director, Medical Care Administration, Department of Social Services, State of Connecticut.

ELECTRONIC WASTE

Committee on Energy and Commerce: Subcommittee on Environment and Hazardous Materials held a hearing entitled "Electronic Waste: An Examination of Current Activity, Implications for Environmental Stewardship, and the Proper Federal Role." Testimony was heard from public witnesses.

WMD TERRORISM

Committee on Homeland Security: Subcommittee on Prevention of Nuclear and Biological Attack held a hearing entitled "WMD Terrorism and Proliferant States." Testimony was heard from public witnesses.

U.S. AND INDIA: AN EMERGING ENTENTE?

Committee on International Relations: Held a hearing entitled "The U.S. and India: An Emerging Entente?" Testimony was heard from the following officials of the Department of State: R. Nicholas Burns, Under Secretary, Political Affairs; and Robert Joseph, Under Secretary, Arms Control and International Security.

SECURITY AND FAIRNESS ENHANCEMENT FOR AMERICA ACT

Committee on International Relations: Subcommittee on Immigration, Border Security, and Claims approved for full Committee action H.R. 1219, Security and Fairness Enhancement for America Act of 2005.

REVIEW OF U.S. PATENT AND TRADEMARK OFFICE OPERATIONS

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property held an oversight hearing entitled "Review of U.S. Patent and Trademark Office operations, including analysis of Government Accountability Office, Inspector General, and National Academy of Public Administration Reports." Testimony was heard from Jon W. Dudas, Under Secretary and Director, U.S. Patent and Trademark Office, Department of Commerce; Anu K. Mittal, Director, Science and Technology Issues, GAO; and public witnesses.

FREEDOM IN THE WORKPLACE—AN EXAMINATION OF A NATIONAL RIGHT TO WORK LAW

Committee on Small Business: Subcommittee on Workforce, Empowerment, and Government Programs held a hearing entitled "Freedom in the Workplace—An Examination of a National Right to Work Law." Testimony was heard from Representative Wilson of South Carolina; and public witnesses.

VETERANS LEGISLATION

Committee on Veterans' Affairs: Subcommittee on Economic Opportunity approved for full Committee action H.R. 3665, Veterans Housing Improvement Act of 2005.

BRIEFING—GLOBAL UPDATES/HOTSPOTS

Permanent Select Committee on Intelligence: Met in executive session to receive a Briefing on Global Updates/Hotspots. The Committee was briefed by departmental witnesses.

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Friday, September 9, 2005

Senate

Chamber Action

Routine Proceedings, pages 19963–19991

Measures Introduced: Two bills and one resolution were introduced, as follows: S. 1648–1649, and S.J. Res. 23. **Page 19976**

Measures Passed:

Great Ape Conservation Reauthorization: Senate passed S. 1250, to reauthorize the Great Ape Conservation Act of 2000, after agreeing to the committee amendments. **Page 19989**

Junior Duck Stamp Reauthorization Act: Senate passed S. 1339, to reauthorize the Junior Duck Stamp Conservation and Design Program Act of 1994. **Page 19989**

Pittman-Robertson Wildlife Restoration Act: Senate passed S. 1340, to amend the Pittman-Robertson Wildlife Restoration Act to extend the date after which surplus funds in the wildlife restoration fund become available for apportionment. **Page 19989**

Captive Wildlife Safety Technical Amendment Act: Senate passed S. 1415, to amend the Lacey Act Amendments of 1981 to protect captive wildlife and make technical corrections, after agreeing to the committee amendments. **Page 19989**

Commerce/Justice/Science Appropriations: Senate continued consideration of H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and taking action on the following amendments proposed thereto: **Pages 19963, 19986**

Adopted:

Shelby Amendment No. 1673, to provide funding for national security infrastructure. **Page 19970**

Shelby (for Bingaman) Amendment No. 1668, to provide funding for methamphetamine prevention education programs in elementary and secondary schools. **Page 19970**

Shelby (for Salazar) Amendment No. 1649, to establish a task force to improve and target the Federal Government's policies with respect to the production and trafficking of methamphetamine. **Page 19970**

Shelby (for Mikulski) Amendment No. 1674, to provide funding for the James Webb Space Telescope. **Page 19970**

Shelby (for Harkin) Amendment No. 1659, to increase the appropriation for nationwide legal services field programs and to provide additional funds to programs providing legal services to the victims of Hurricane Katrina. **Page 19970**

Shelby (for Burns) Amendment No. 1675, to provide that no funds appropriated under this act be used to register, issue, transfer, or enforce any trademark of the phrase "Last Best Place". **Page 19970**

Shelby/Baucus Amendment No. 1676, to prohibit the use of funds relating to certain rulemakings. **Page 19970**

Shelby (for Talent/Feinstein) Amendment No. 1677, to respond to the illegal production, distribution, and use of methamphetamine in the United States.

Pending:

Lincoln Amendment No. 1652, to provide for temporary Medicaid disaster relief for survivors of Hurricane Katrina. **Page 19963**

Dayton Amendment No. 1654, to increase funding for Justice Assistance Grants. **Page 19963**

Biden Amendment No. 1661, to provide emergency funding for victims of Hurricane Katrina. **Page 19963**

Sarbanes Amendment No. 1662, to assist the victims of Hurricane Katrina with finding new housing. **Page 19963**

Dorgan Amendment No. 1665, to prohibit weakening any law that provides safeguards from unfair foreign trade practices. **Page 19963**

Sununu Amendment No. 1669, to increase funding for the State Criminal Alien Assistance Program, the Southwest Border Prosecutors Initiative, and transitional housing for women subjected to domestic violence. **Page 19963**

Lieberman Amendment No. 1678, to provide financial relief for individuals and entities affected by Hurricane Katrina. **Page 19987**

A unanimous-consent agreement was reached providing for further consideration of the bill at 3 p.m., on Monday, September 12, 2005. **Page 19990**

Additional Cosponsors: **Page 19976**

Statements on Introduced Bills/Resolutions: **Page 19976**

Additional Statements: **Page 19975**

Amendments Submitted: **Page 19978**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 12:50 p.m., until 2 p.m., on Monday, September 12, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 19990.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. It will meet at noon on Monday, September 12 in a pro forma session and at 12:30 p.m. on Tuesday, September 13, 2005 for morning hour debate.

Committee Meetings

No committee meetings were held.

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Monday, September 12, 2005

Senate

Chamber Action

Routine Proceedings, pages 19995–20045

Measures Introduced: Thirty-nine bills were introduced, as follows: S. 1650–1688. **Page 20032**

Measures Reported:

S. 113, to modify the date as of which certain tribal land of the Lytton Rancheria of California is deemed to be held in trust. (S. Rept. No. 109–136)

S. 1197, to reauthorize the Violence Against Women Act of 1994, with an amendment in the nature of a substitute. **Page 20032**

Measures Passed:

National Flood Insurance Program Enhanced Borrowing Authority Act: Senate passed H.R. 3669, to temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the national flood insurance program, clearing the measure for the President. **Page 20044**

Commerce/Justice/Science Appropriations: Senate continued consideration of H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, taking action on the following amendments proposed thereto: **Page 20000**

Pending:

Lincoln Amendment No. 1652, to provide for temporary medicaid disaster relief for survivors of Hurricane Katrina. **Page 20000**

Dayton Amendment No. 1654, to increase funding for Justice Assistance Grants. **Page 20000**

Biden Amendment No. 1661, to provide emergency funding for victims of Hurricane Katrina. **Page 20000**

Sarbanes Amendment No. 1662, to assist the victims of Hurricane Katrina with finding new housing. **Page 20001**

Dorgan Amendment No. 1665, to prohibit weakening any law that provides safeguards from unfair foreign trade practices. **Page 20001**

Sununu Amendment No. 1669, to increase funding for the State Criminal Alien Assistance Program, the Southwest Border Prosecutors Initiative, and transitional housing for women subjected to domestic violence. **Page 20001**

Lieberman Amendment No. 1678, to provide financial relief for individuals and entities affected by Hurricane Katrina. **Page 20001**

DeWine Amendment No. 1671, to make available, from amounts otherwise available for the National Aeronautics and Space Administration, $906,200,000 for aeronautics research and development programs of the National Aeronautics and Space Administration. **Page 20001**

Clinton Amendment No. 1660, to establish a congressional commission to examine the Federal, State, and local response to the devastation wrought by Hurricane Katrina in the Gulf Region of the United States especially in the States of Louisiana, Mississippi, Alabama, and other areas impacted in the aftermath and make immediate corrective measures to improve such responses in the future. **Page 20002**

Coburn Amendment No. 1648, to eliminate the funding for the Advanced Technology Program and increase the funding available for the National Oceanic and Atmospheric Administration, community oriented policing services, and State and local law enforcement assistance. **Page 20003**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:45 a.m., on Tuesday, September 13, 2005. **Page 20045**

Clean Air Act Resolution: Senate began consideration of the motion to proceed to consideration of S.J. Res. 20, disapproving a rule promulgated by the Administrator of the Environmental Protection Agency to delist coal and oil-direct utility units from the source category list under the Clean Air Act, and by a unanimous vote of 92 yeas (Vote No. 224), Senate agreed to the motion to proceed. **Page 20023**

A unanimous-consent agreement was reached providing for consideration of the resolution at 12:10 a.m., on Tuesday, September 13, 2005; that there be 20 minutes for debate, and the Senate then vote on final passage of the joint resolution. **Page 20045**

Appointments:

Canada-U.S. Interparliamentary Group: The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276d–276g, as amended, appointed the following Senators as members of the Senate Delegation to the Canada-U.S. Interparliamentary Group during the First Session of the 109th Congress: Senators Grassley, Lott, Voinovich, Chambliss, and Burr. **Page 20045**

Advisory Committee on Student Financial Assistance: The Chair, on behalf of the President pro tempore, pursuant to Public Law 99–498, reappointed the following individual to a three-year term (commencing on October 1, 2005), as a member of the Advisory Committee on Student Financial Assistance: Claude O. Pressnell, Jr., of Tennessee. **Page 20045**

Measures Read First Time: **Pages 20030, 20044**

Executive Communications: **Page 20030**

Additional Cosponsors: **Page 20033**

Statements on Introduced Bills/Resolutions: **Page 20035**

Additional Statements: **Page 20029**

Amendments Submitted: **Page 20043**

Authority for Committees to Meet: **Page 20044**

Privilege of the Floor: **Page 20044**

Record Votes: One record vote was taken today. (Total—224) **Page 20024**

Adjournment: Senate convened at 2 p.m., and adjourned at 8 p.m., until 9:45 a.m., on Tuesday, September 13, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 20045.)

Committee Meetings

NOMINATION

Committee on the Judiciary: Committee began hearings to examine the nomination of John G. Roberts, Jr., of Maryland, to be Chief Justice of the United States, where the nominee, who was introduced by Senators Lugar, Warner and Bayh, testified and answered questions in his own behalf.

Hearings continue tomorrow.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 2 public bills, H.R. 3725–3726, were introduced. **Page 19994**

Additional Cosponsors: **Page 19994**

Reports Filed: There were reports filed today as follows. **Page 19994**

H.R. 3132, to make improvements to the national sex offender registration program, with an amendment (H. Rept. 109–218, Pt. 1) (Report filed on September 9, 2005).

Speaker: Read a letter from the Speaker wherein he appointed Representative Cole to act as speaker pro tempore for today. **Page 19992**

Senate Message: Message received from the Senate today appears on page 19992.

Senate Referrals: S. 1250, S. 1339 and S. 1415 was referred to the Committee on Resources. S. 1340 was held at the desk. **Page 19992**

Quorum Calls—Votes: There were no votes or quorum calls.

Adjournment: The House met at 12 p.m. and adjourned at 12:05 p.m.

Committee Meetings

No committee meetings were held.

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Tuesday, September 13, 2005

Senate

Chamber Action

Routine Proceedings, pages 20049–20103

Measures Introduced: Eight bills and one resolution were introduced, as follows: S. 1689–1696, and S. Res. 236. **Page 20092**

Measures Passed:

Livestock Mandatory Reporting Act: Committee on Agriculture, Nutrition and Forestry was discharged from further consideration of S. 1613, to amend the Livestock Mandatory Reporting Act of 1999 to extend the termination date for mandatory price reporting, and the bill was then passed. **Page 20102**

Measures Rejected:

Clean Air Act Resolution: By 47 yeas to 51 nays (Vote No. 225), Senate rejected S.J. Res. 20, disapproving a rule promulgated by the Administrator of the Environmental Protection Agency to delist coal and oil-direct utility units from the source category list under the Clean Air Act. **Page 20061**

Commerce/Justice/Science Appropriations: Senate continued consideration of H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, taking action on the following amendments proposed thereto: **Pages 20053, 20068**

Adopted:

Shelby (for Voinovich) Modified Amendment No. 1650, to make funds available to implement the Harmful Algal Bloom and Hypoxia Amendments Act of 2004. **Page 20068**

Shelby (for Ensign) Amendment No. 1653, to increase funding for child abuse training programs for judicial personnel and practitioners. **Page 20068**

Shelby (for Kennedy/Sessions) Amendment No. 1704, to extend the term of the National Prison Rape Elimination Commission. **Page 20068**

Pending:

Lincoln Amendment No. 1652, to provide for temporary medicaid disaster relief for survivors of Hurricane Katrina. **Pages 20053, 20081**

Dayton Amendment No. 1654, to increase funding for Justice Assistance Grants. **Page 20053**

Sarbanes Amendment No. 1662, to assist the victims of Hurricane Katrina with finding new housing. **Pages 20054, 20083**

Dorgan Amendment No. 1665, to prohibit weakening any law that provides safeguards from unfair foreign trade practices. **Pages 20054, 20055, 20071**

Sununu Amendment No. 1669, to increase funding for the State Criminal Alien Assistance Program, the Southwest Border Prosecutors Initiative, and transitional housing for women subjected to domestic violence. **Page 20053**

Lieberman Amendment No. 1678, to provide financial relief for individuals and entities affected by Hurricane Katrina. **Pages 20054, 20084**

DeWine Amendment No. 1671, to make available, from amounts otherwise available for the National Aeronautics and Space Administration, $906,200,000 for aeronautics research and development programs of the National Aeronautics and Space Administration. **Page 20054**

Clinton Amendment No. 1660, to establish a congressional commission to examine the Federal, State, and local response to the devastation wrought by Hurricane Katrina in the Gulf Region of the United States especially in the States of Louisiana, Mississippi, Alabama, and other areas impacted in the aftermath and make immediate corrective measures to improve such responses in the future. **Page 20054**

Coburn Amendment No. 1648, to eliminate the funding for the Advanced Technology Program and increase the funding available for the National Oceanic and Atmospheric Administration, community oriented policing services, and State and local law enforcement assistance. **Page 20054**

Dorgan Amendment No. 1670, to establish a special committee of the Senate to investigate the awarding and carrying out of contracts to conduct activities in Afghanistan and Iraq and to fight the war on terrorism. **Page 20054**

Pryor/Mikulski Amendment No. 1703, to require the FTC to conduct an immediate investigation into gasoline price-gouging. **Page 20059**

Stabenow Modified Amendment No. 1687, to provide funding for interoperable communications equipment grants. **Page 20068**

A unanimous-consent agreement was reached providing for further consideration of the bill at 10:30 a.m., on Wednesday, September 14, 2005; the time be equally divided between Senators Shelby and Mikulski until 11 a.m., and the Senate then vote on the motion to waive the Congressional Budget Act of 1974, relative to Stabenow Amendment No. 1687, as modified. **Page 20103**

During consideration of this measure today, Senate also took the following action:

By 41 yeas to 56 nays (Vote No. 226), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 402(b)(5) of H. Con. Res. 95, Congressional Budget Resolution, with respect to the emergency designation provision in Biden Amendment No. 1661, to provide emergency funding for victims of Hurricane Katrina. Subsequently, a point of order that the emergency designation provision would violate section 402 (b)(5) of H. Con. Res. 95 was sustained and the provision was stricken. Also, the Chair sustained a point order that the amendment would exceed the subcommittee's 302(b) allocation and the amendment thus falls. **Page 20078**

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following treaty:

Protocol Amending Extradition Convention with Israel (Treaty Doc. No. 109–3).

The treaty was transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed. **Page 20103**

Nominations Received: Senate received the following Nominations:

Shana L. Dale, of Georgia, to be Deputy Administrator of the National Aeronautics and Space Administration.

Donald A. Gambatesa, of Virginia, to be Inspector General, United States Agency for International Development.

Carmen Maria Martinez, of Florida, to be Ambassador to the Republic of Zambia.

Gregory F. Van Tatenhove, of Kentucky, to be United States District Judge for the Eastern District of Kentucky. **Page 20103**

Messages From the House: **Page 20091**

Measures Placed on Calendar: **Page 20091**

Executive Communications: **Page 20091**

Additional Cosponsors: **Page 20092**

Statements on Introduced Bills/Resolutions: **Page 20093**

Additional Statements: **Page 20089**

Amendments Submitted: **Page 20097**

Notices of Hearings/Meetings: **Page 20102**

Authority for Committees to Meet: **Page 20102**

Record Votes: Two record votes were taken today. (Total—226) **Pages 20068, 20078**

Adjournment: Senate convened at 9:45 a.m., and adjourned at 7:14 p.m., until 9:30 a.m., on Wednesday, September 14, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 20103.)

Committee Meetings

CHARITIES

Committee on Finance: Subcommittee on Social Security and Family Policy held a hearing to examine how the nonprofit sector meets the needs of American communities relating to charities on the frontline, receiving testimony from Luke L. Hingson, Borther's Brother Foundation, Pittsburgh, Pennsylvania; Major George Hood, The Salvation Army, Alexandria, Virginia; Robert E. Reccord, North American Mission Board of the Southern Baptist Convention, Alpharetta, Georgia; and William G. Gale, Brookings Institution, and C. Eugene Steuerle, Urban Institute, both of Washington, D.C.

Hearings recessed subject to the call.

NOMINATIONS:

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nominations of John R. Fisher, to be an Associate Judge of the District of Columbia Court of Appeals, Juliet JoAnn McKenna, to be an Associate Judge of the Superior Court of the District of Columbia, who were introduced by Delegate Norton, Colleen Duffy Kiko, of Virginia, to be General Counsel of the Federal Labor Relations Authority, who was introduced by Representative Sensenbrenner, and Mary M. Rose, of North Carolina, to be a Member of the Merit Systems Protection Board, after the nominees testified and answered questions in their own behalf.

NOMINATION

Committee on the Judiciary: Committee continued hearings to examine the nomination of John G. Roberts, Jr., of Maryland, to be Chief Justice of the United States, where the nominee, testified and answered questions in his own behalf.

Hearings continue tomorrow.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 33 public bills, H.R. 3727–3759; and 2 resolutions H. Con. Res. 240–241, were introduced. **Page 20144**

Additional Cosponsors: **Page 20145**

Reports Filed: Reports were filed today as follows:

Supplemental report on H.R. 3132, to make improvements to the national sex offender registration program (H. Rept. 109–218, Pt. 2); and

H. Res. 436, providing for consideration of the bill (H.R. 3132) to make improvements to the national sex offender registration program, and for other purposes (H. Rept. 109–219). **Pages 20115, 20118, 20144**

Chaplain: The prayer was offered today by Rev. Thomas Peoples, Pastor, First Baptist Church, Wisner, Louisiana. **Page 20104**

Recess: The House recessed at 12:38 p.m. and reconvened at 2 p.m. **Page 20104**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Sportfishing and Recreational Boating Safety Amendments Act of 2005: H.R. 3649, to ensure funding for sportfishing and boating safety programs funded out of the Highway Trust Fund through the end of fiscal year 2005, by a 2/3 yea-and-nay vote of 401 yeas to 1 nay, Roll No. 466; **Pages 20106, 20116**

Honoring and memorializing the passengers and crew of United Airlines Flight 93: S. Con. Res. 26, a concurrent resolution honoring and memorializing the passengers and crew of United Airlines Flight 93, by a 2/3 yea-and-nay vote of 403 yeas with none voting "nay", Roll No. 465; **Pages 20108, 20116**

Dandini Research Park Conveyance Act: S. 252, to direct the Secretary of the Interior to convey certain land in Washoe County, Nevada, to the Board of Regents of the University and Community College System of Nevada—clearing the measure for the President; **Page 20110**

Caribbean National Forest Act of 2005: H.R. 539, amended, to designate certain National Forest System land in the Commonwealth of Puerto Rico as components of the National Wilderness Preservation System; **Page 20111**

Agreed to amend the title so as to read, "to designate certain National Forest Sytem land in the Commonwealth of Puerto Rico as a component of the National Wilderness Preservation System.". **Page 20113**

Wind Cave National Park Boundary Revision Act of 2005: S. 276, to revise the boundary of the Wind Cave National Park in the State of South Dakota, by a 2/3 yea-and-nay vote of 295 yeas to 106 nays, Roll No. 467—clearing the measure for the President; and **Pages 20113, 20117**

Hawaii Water Resources Act of 2005: S. 264, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize certain projects in the State of Hawaii—clearing the measure for the President. **Page 20114**

Recess: The House recessed at 2:57 p.m. and reconvened at 6:33 p.m. **Page 20115**

Message From the Clerk: Read a letter from the Clerk notifying the House that he received messages from the Senate. **Page 20118**

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages 20116–18. There were no quorum calls.

Adjournment: The house met at 12:30 p.m. and adjourned at 10:51 p.m.

Committee Meetings

BROWNFIELDS PROGRAMS

Committee on Government Reform: Subcommittee on Federalism and the Census held a hearing entitled "Brownfields and the Fifty States: Are State Incentive Programs Capable of Solving America's Brownfields Problem?" Testimony was heard from Kathleen McGinty, Secretary, Department of Environmental Protection, State of Pennsylvania; John Magill, Director, Office of Urban Development, Department of Development, State of Ohio; Douglas P. Scott, Director, Environmental Protection Agency, State of Illinois; Andrew Hogarth, Chief, Remediation and Redevelopment Division, Department of Environmental Quality, State of Michigan; and public witnesses.

TERRORISM/VISA VULNERABILITY

Committee on Government Reform: Subcommittee on National Security, Emerging Threats, and International Relations held a hearing entitled "Combating Terrorism: Visas Still Vulnerable." Testimony was heard from Jess T. Ford, Director, International Affairs and Trade Division, GAO; the following officials of the Department of State: Ambassador John E. Lange, Deputy Inspector General; and Tony Edson, Acting Deputy Assistant Secretary, Visa Services, Bureau of Consular Affairs; Elaine Dezenski, Acting Deputy Assistant Secretary, Policy Border and Transportation Security, Department of Homeland Security; Susan Ginsberg, former Senior Counsel, National Commission on Terrorist Attacks Upon the United States; and public witnesses.

PROTECTING STREET CHILDREN

Committee on International Relations: Subcommittee on Africa, Global Human Rights and International Operations held a hearing entitled "Protecting Street Children: Vigilantes or the Rule of Law?" Testimony was heard from the following officials of the Department of State: David Denehy, Director, Strategic Planning and External Affairs, Bureau of Democracy, Human Rights and Labor; and Lloyd Feinberg, Manager, Displaced Children and Orphans Fund, U.S. Agency for International Development; Lord David Alton, House of Lords, United Kingdom and Great Britain and Northern Ireland; and public witnesses.

CHILDREN'S SAFETY ACT

Committee on Rules: Granted, by voice vote, a modified open rule providing 1 hour of general debate on H.R. 3132, Children's Safety Act of 2005, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as an original bill for the purpose of amendment. The rule provides that the bill shall be considered for amendment under the five-minute rule and that it shall be read by title. The rule makes in order only those amendments to the bill that are pre-printed in the Congressional Record or are pro forma amendments for the purpose of debate. The rule provides that each amendment printed in the Congressional Record may be offered only by the Member who caused it to be printed or a designee, and that each amendment shall be considered as read. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Sensenbrenner and Representative Scott of Virginia.

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Wednesday, September 14, 2005

Senate

Chamber Action

Routine Proceedings, pages 20267–20328

Measures Introduced: Nine bills and three resolutions were introduced, as follows: S. 1697–1705, S.J. Res. 24, and S. Res. 237–238. **Page 20308**

Measures Passed:

Honoring Army Black Corps of Engineers: Committee on Armed Services was discharged from further consideration of H. Con. Res. 67, honoring the soldiers of the Army's Black Corps of Engineers for their contributions in constructing the Alaska-Canada highway during World War II and recognizing the importance of these contributions to the subsequent integration of the military, and the resolution was then agreed to. **Page 20327**

National Campus Safety Awareness Month: Committee on the Judiciary was discharged from further consideration of S. Res. 221, supporting the goals and ideals of "National Campus Safety Awareness Month", and the resolution was then agreed to. **Page 20327**

Recognizing Hispanic Heritage Month: Senate agreed to S. Res. 238, recognizing Hispanic Heritage Month and celebrating the vast contributions of Hispanic Americans to the strength and culture of our Nation. **Page 20327**

Commerce/Justice/Science Appropriations: Senate continued consideration of H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, taking action on the following amendments proposed thereto: **Page 20272**

Adopted:

McCain Amendment No. 1707, to express the sense of the Senate regarding funding directives contained in H.R. 2862 or its accompanying report. **Page 20276**

Shelby (for Leahy) Modified Amendment No. 1694, to waive the match requirement under the Bulletproof Vest Partnership grant program for purposes of replacing defective vests. **Page 20291**

Shelby (for Martinez) Amendment No. 1708, to provide the sense of Congress on the 11th International Coral Reef Symposium. **Page 20290**

Shelby (for Talent/Dodd) Amendment No. 1709, to establish an Unsolved Crimes Section in the Civil Rights Division of the Department of Justice. **Pages 20290, 20297**

Shelby (for Cantwell/Allen) Amendment No. 1710, to provide additional funding for the Methamphetamine Hot Spots program. **Pages 20291, 20296**

Shelby (for Dayton) Amendment No. 1654, to increase funding for Justice Assistance Grants. **Page 20290**

Shelby (for Reid) Amendment No. 1711, to provide additional funding for Violence Against Women Act programs to assist victims of sexual abuse and domestic violence. **Page 20291**

Shelby Amendment No. 1712, to provide additional funds to the National Hurricane Center. **Page 20291**

Shelby (for Clinton) Amendment No. 1701, to increase funding for the Technology Opportunity Program. **Page 20290**

Pryor/Mikulski Modified Amendment No. 1703, to require the FTC to conduct an immediate investigation into gasoline price-gouging. **Page 20295**

Mikulski (for Stabenow) Modified Amendment No. 1688, to prevent the United States Trade Representative from negotiating future trade agreements that prevent the United States from changing United States patent law to allow the importation of pharmaceutical products. **Page 20303**

Shelby (for DeWine) Amendment No. 1715 (to Amendment No. 1671), to make funds available for aeronautics research and development programs of the National Aeronautics and Space Administration. **Page 20303**

DeWine Amendment No. 1671, to make available, from amounts otherwise available for the National Aeronautics and Space Administration, $906,200,000 for aeronautics research and development programs of the National Aeronautics and Space Administration. **Page 20303**

Sarbanes Amendment No. 1662, to assist the victims of Hurricane Katrina with finding new housing. **Page 20303**

Rejected:

Coburn Amendment No. 1648, to eliminate the funding for the Advanced Technology Program and increase the funding available for the National Oceanic and Atmospheric Administration, community oriented policing services, and State and local law enforcement assistance. (By 68 yeas to 29 nays (Vote No. 230), Senate tabled the amendment.) **Page 20292**

Withdrawn:

Lincoln Amendment No. 1652, to provide for temporary Medicaid disaster relief for survivors of Hurricane Katrina. **Page 20297**

Sununu Amendment No. 1669, to increase funding for the State Criminal Alien Assistance Program, the Southwest Border Prosecutors Initiative, and transitional housing for women subjected to domestic violence. **Page 20297**

Pending:

Dorgan Amendment No. 1665, to prohibit weakening any law that provides safeguards from unfair foreign trade practices. **Pages 20273, 20282**

Lieberman Amendment No. 1678, to provide financial relief for individuals and entities affected by Hurricane Katrina. **Page 20273**

Kerry/Landrieu Amendment No. 1695, to strengthen the loan, procurement assistance, and management education programs of the Small Business Administration in order to help small businesses and home owners hurt by Hurricane Katrina meet their existing obligations, finance their businesses, and maintain and create jobs, thereby providing stability to the national economy. **Pages 20280, 20289**

During consideration of this measure today, Senate also took the following action:

By 40 yeas to 58 nays (Vote No. 227), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Stabenow Modified Amendment No. 1687, to provide funding for interoperable communications equipment grants. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell. **Page 20273**

By 44 yeas to 53 nays (Vote No. 228), two-thirds of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to suspend Rule XVI, pursuant to notice previously given in writing, relative to Dorgan Amendment No. 1670, to establish a special committee of the Senate to investigate the awarding and carrying out of contracts to conduct activities in Afghanistan and Iraq and to fight the war on terrorism. Subsequently, the Chair sustained the point of order that the amendment was in violation of Rule XVI of the Standing Rules of the Senate which prohibits legislation on appropriations matters, and the amendment thus fell. **Pages 20274, 20279, 20302**

By 44 yeas to 54 nays (Vote No. 229), two-thirds of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to suspend Rule XVI, pursuant to notice previously given in writing, relative to Clinton Amendment No. 1660, to establish a congressional commission to examine the Federal, State, and local response to the devastation wrought by Hurricane Katrina in the Gulf Region of the United States especially in the States of Louisiana, Mississippi, Alabama, and other areas impacted in the aftermath and make immediate corrective measures to improve such responses in the future. Subsequently, the Chair sustained the point of order that the amendment was in violation of Rule XVI of the Standing Rules of the Senate which prohibits legislation on appropriations matters, and the amendment thus fell. **Pages 20276, 20279, 20302**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Thursday, September 15, 2005. **Page 20327**

Messages From the House: **Page 20307**

Measures Referred: **Page 20307**

Executive Communications: **Page 20307**

Additional Cosponsors: **Page 20308**

Statements on Introduced Bills/Resolutions: **Page 20310**

Additional Statements: **Page 20305**

Amendments Submitted: **Page 20320**

Authority for Committees to Meet: **Page 20326**

Record Votes: Four record votes were taken today. (Total—230) **Pages 20274, 20280, 20294**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 8:26 p.m., until 9:30 a.m., on Thursday, September 15, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 20328.)

Committee Meetings

AVIATION EFFECTS OF HURRICANE KATRINA

Committee on Commerce, Science, and Transportation: Subcommittee on Aviation concluded a hearing to examine the impact of Hurricane Katrina on the aviation industry, focusing on jet fuel markets, airport infrastructure, and the National Airspace System, after receiving testimony from Howard K. Gruenspecht, Deputy Administrator, U.S. Energy Information Administration, Department of Energy; James C. May, Air Transport Association, Inc., and Deborah McElroy, Regional Airline Association, both of Washington, D.C.; and Frank Miller, Pensacola Regional Airport, Pensacola, Florida.

HURRICANE KATRINA RECOVERY

Committee on Homeland Security and Governmental Affairs: Committee held a hearing to examine issues relating to recovering from Hurricane Katrina, focusing on lessons learned from previous disasters in various locations across the United States, and the urgent and long-term needs of disaster survivors, receiving testimony from former Senator Pete Wilson; former Mayor Patricia A. Owens, Grand Forks, North Dakota; and former Mayor Marc H. Morial, New Orleans, Louisiana, on behalf of the National Urban League; and Iain B. Logan, International Federation of Red Cross and Red Crescent Societies, New York, New York.

Hearing recessed subject to the call.

NOMINATION

Committee on the Judiciary: Committee continued hearings to examine the nomination of John G. Roberts, Jr., of Maryland, to be Chief Justice of the United States, where the nominee, further testified and answered questions in his own behalf.

Hearings continue tomorrow.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 23 public bills, H.R. 3760–3782; 1 private bill, H.R. 3783; and 7 resolutions, H. Con. Res. 242–243; and H. Res. 437–438, 441–443 were introduced. **Page 20254**

Additional Cosponsors: **Page 20256**

Reports Filed: Reports were filed today as follows:

H. Res. 437, a resolution to establish the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina (H. Rept. 109–220, Pt. 1);

H. Res. 439, providing for the consideration of the resolution H. Res. 437, to establish the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina (H. Rept. 109–221); and

H. Res. 440, providing for the consideration of the bill H.R. 889, to authorize appropriations for the Coast Guard for fiscal year 2006, to make technical corrections to various laws administered by the Coast Guard, and for other purposes and providing for consideration of motions to suspend the rules (H. Rept. 109–222). **Page 20254**

Speaker: Read a letter from the Speaker wherein he appointed Representative Foley to act as Speaker pro tempore for today. **Page 20173**

Chaplain: The prayer was offered today by Dr. Steve Houpe, Pastor, Harvest Church, Kansas City, Missouri. **Page 20173**

Suspensions: The House agreed to suspend the rules and pass the following measures:

To reauthorize the Livestock Mandatory Reporting Act of 1999 and to amend the swine reporting provisions of that Act: H.R. 3408, to reauthorize the Livestock Mandatory Reporting Act of 1999 and to amend the swine reporting provisions of that Act; **Page 20177**

Supporting the goals and ideals of a national day of prayer and remembrance for the victims of Hurricane Katrina: H. Con. Res. 240, supporting the goals and ideals of a national day of prayer and remembrance for the victims of Hurricane Katrina and encouraging all Americans to observe that day; **Page 20179**

Recognizing the 50th anniversary of Rosa Louise Parks' refusal to give up her seat on the bus and the subsequent desegregation of American society: H. Con. Res. 208, recognizing the 50th anniversary of Rosa Louise Parks' refusal to give up her seat on the bus and the subsequent desegregation of American society; and **Page 20183**

To protect volunteers assisting the victims of Hurricane Katrina: H.R. 3736, to protect volunteers assisting the victims of Hurricane Katrina. **Page 20186**

Children's Safety Act of 2005: The House passed H.R. 3132, to make improvements to the national sex offender registration program, by a yea-and-nay vote of 371 yeas to 52 nays, Roll No. 470. **Pages 20181, 20190**

Pursuant to the rule the amendment in the nature of a substitute recommended by the Committee on Judiciary, now printed in the bill shall be considered as an original bill for the purpose of amendment. **Page 20230**

Agreed to:

Sensenbrenner amendment (No. 27 printed in the Congressional Record) that makes technical and conforming changes to the bill; **Page 20202**

Sensenbrenner amendment (No. 28 printed in the Congressional Record) that inserts a new section providing for assistance in identification and location of sex offenders relocated as a result of Hurricane Katrina; **Page 20203**

Cuellar amendment (No. 18 printed in the Congressional Record) that provides for a minimum term of not less than 90 days when jurisdictions are imposing criminal penalties for failure to comply with the provisions of the bill; **Page 20203**

Gibbons amendment (No. 16 printed in the Congressional Record) that adds a new section providing for GAO studies on feasibility of using driver's license registration processes as additional registration requirements for sex offenders; **Page 20203**

Conyers amendment (No. 22 printed in the Congressional Record) that provides for establishment of a Children's Safety Office under the general authority of the Attorney General; **Page 20204**

Conyers amendment (No. 24 printed in the Congressional Record) that provides for grants to combat sexual abuse of children. Such grants shall be made by the Bureau of Justice Assistance; **Page 20205**

Poe amendment (No. 19 printed in the Congressional Record) that provides for expansion of training and technology efforts with Federal, State, and local law enforcement officers by the Attorney General in consultation with the Office of Juvenile Justice and Delinquency Prevention; **Page 20205**

Conyers amendment (No. 23 printed in the Congressional Record) that adds a new section which provides for inclusion of gender statistics under the Hate Crime Statistics Act; **Page 20208**

Baird amendment (No. 14 printed in the Congressional Record) that requires the Justice Department, in cooperation with the Health and Human Services Department, to conduct a study into the creation of a nationwide, interstate tracking system of individuals convicted of, or under investigation for child abuse. This report will analyze the costs and benefits of different mechanism for establishing the system and include the extent to which existing registries could be used. The report would be due to Congress within 90 days of enactment; **Page 20210**

Porter amendment (No. 3 printed in the Congressional Record) that allows school districts, through the state executive officer, to access finger-print based criminal history records for prospective employees who will come in close contacts with students; **Page 20210**

Flake amendment (No. 13 printed in the Congressional Record) that provides that fact-intensive and time-consuming "harmless-error sentencing claims" will be reviewed again in Federal court only if the State court erred in determining that the claim was subject to harmlessness review; **Page 20211**

Ryun of Kansas amendment (No. 5 printed in the Congressional Record) that condemns the decision in United States v. Helder, Jr. and encourages the Department of Justice to appeal the decision so that it is overturned; **Page 20213**

Sensenbrenner amendment (No. 29 printed in the Congressional Record) that inserts a new section on page 69, after line 17, which states that notwithstanding any other law, an indictment may be found or an information instituted at any time without limitation for any offense under section 1201 involving a minor victim; **Page 20215**

Sensenbrenner amendment (No. 30 printed in the Congressional Record) that allows checks and access to federal crime information data-base by Child Welfare Agencies for certain purposes; **Page 20216**

Jackson-Lee amendment (No. 31 printed in the Congressional Record) that expresses the sense of Congress that background checks conducted as a precondition to approval of any foster or adoptive placement of children affected by a natural disaster or terrorist attack should be expedited in order to ensure that such children do not become subjected to the offenses enumerated in the Children's Safety Act; **Page 20216**

Weldon of Florida amendment (No. 20 printed in the Congressional Record) that withholds 10 percent of a State's Byrne Grant and Local Government Law Enforcement Grant funds if the State fails to enact a law requiring those who have been accused of sex crimes to submit to an HIV test within 48 hours of such request; **Page 20217**

Wasserman-Schultz amendment (No. 8 printed in the Congressional Record) which states that civil confinement would encompass those who are deemed too dangerous to return to society without proper treatment and rehabilitation after psychological evaluation; **Page 20218**

Nadler amendment (No. 2 printed in the Congressional Record) that prohibits the transfer or possession of a firearm by any individual convicted of committing a sex offense against a minor; **Page 20220**

Kelly amendment (No. 26 printed in the Congressional Record) that creates a national child abuse registry within the Department of Justice. The amendment also requires the Attorney General to work in consultation with the Secretary of HHS in creating the database; **Page 20220**

Pence amendment (No. 1 printed in the Congressional Record) that ensures that children are not exploited in the production and distribution of pornography. Additionally, the amendment provides increased protection to victims of child pornography and strengthens the hand of law enforcement in investigating and bringing charges in obscenity and child pornography cases; **Page 20221**

Conyers amendment (No. 17 printed in the Congressional Record) that makes it a crime to knowingly misappropriate the personal identification information of a minor in interstate or foreign commerce; and **Page 20223**

Conyers amendment (No. 25 printed in the Congressional Record) that adds a title and sections to the bill that may be cited as the "Local Law Enforcement Hate Crimes Prevention Act of 2005" (by a recorded vote of 223 ayes to 199 noes, Roll No. 469). **Pages 20223, 20229**

Rejected:

En bloc amendment consisting of the following amendments: Scott of Virginia amendment (No. 4) that sought to remove mandatory minimum sentences; and Scott of Virginia amendment (No. 7) that sought to eliminate provisions, which call for the death penalty if a death results in connection with a crime against a child; and **Page 20210**

Inglis amendment (No. 9 printed in the Congressional Record) that sought to remove the mandatory minimum incarceration provisions for sex offenders who fail to register under the provisions of the bill (by a recorded vote of 106 ayes to 316 nayes, Roll No. 468). **Pages 20206, 20228**

Point of Order sustained against:

McDermott amendment (No. 10 printed in the Congressional Record) that sought to allow states that pay for child foster care for children who have been displaced because of Hurricane Katrina to receive Federal payments both for placement services and foster care for one year, starting this month. **Page 20218**

Ageed that the Clerk be authorized to make technical and conforming changes in the engrossment of the bill to reflect the actions of the House. **Page 20230**

H. Res. 436, the rule providing for consideration of the bill was agreed to by voice vote after agreeing to order the previous question without objection. **Page 20181**

Senate Message: Message received from the Senate today appears on page 20173.

Senate Referrals: S. 1613 was held at the desk. **Page 20173**

Recess: The House recessed at 6:50 p.m. and reconvened at 9:16 p.m. **Page 20250**

Quorum Calls—Votes: One yea-and-nay vote and 2 recorded votes developed during the proceedings of today and appear on pages 20228–30. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 9:17 p.m.

Committee Meetings

FBI TRANSFORMATION EFFORTS

Committee on Appropriations: Subcommittee on Science, The Departments of State, Justice, and Commerce, and Related Agencies held a hearing on FBI Transformation Efforts. Testimony was heard from the following officials of the Department of Justice: Glenn A. Fine, Inspector General; and Robert Mueller, Director, FBI; Randolph C. Hite, Director, Information Technology, GAO; the following officials of the CRS, Library of Congress: Alfred Cumming, Specialist in Intelligence and National Security Foreign Affairs, Defense and Trade Division; and Todd Masse, Specialist in Domestic Intelligence and Counterterrorism, Domestic Social Policy Division; and Dick L. Thornburgh, former U.S. Attorney General.

QUADRENNIAL DEFENSE REVIEW

Committee on Armed Services: Held a hearing on the Quadrennial Defense Review: Goals and Principles. Testimony was heard from Dov S. Zakheim, former Under Secretary (Comptroller), Department of Defense; and public witnesses.

HURRICANE KATRINA—FINANCIAL INSTITUTIONS' RESPONSE

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled "Hurricane Katrina: The Financial Institutions' Response." Testimony was heard from public witnesses.

NATURAL GAS CRISIS

Committee on Government Reform: Subcommittee on Energy and Resources held a hearing entitled "Meeting America's Natural Gas Demand: Are We in a Crisis?" Testimony was heard from Rebecca Watson, Assistant Secretary, Land and Minerals, Department of Labor; Guy Caruso, Administrator, Energy Information Administration, Department of Energy; and public witnesses.

MISCELLANEOUS MEASURES

Committee on International Relations: Ordered adversely reported the following measures: H. Res. 375, Requesting the President and directing the Secretary of State to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resolution all information in the possession of the President and the Secretary of State relating to communication with officials of the United Kingdom between January 1, 2002, and October 16, 2002, relating to the policy of the United States with respect to Iraq; H. Res. 408, Requesting the President and directing the Secretary of Defense to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resolution all documents in the possession of the President and Secretary of Defense relating to communications with officials of the United Kingdom relating to the policy of the United States with respect to Iraq; and H. Res. 419, Directing the Secretary of State to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resolution documents in the possession of the Secretary of State relating to the disclosure of the identity and employment of Ms. Valerie Plame.

U.S. FOREIGN AID PROGRAMS TO EUROPE

Committee on International Relations: Subcommittee on Europe and Emerging Threats held a hearing on U.S. Foreign Aid Programs to Europe. Testimony was heard from the following officials of the Department of State: Thomas C. Adams, Coordinator, U.S. Assistance to Europe and Eurasia, Bureau of European and Eurasian Affairs; and Drew W. Luten III, Senior Deputy Assistant Administrator, Bureau for Europe and Eurasia, U.S. Agency for International Development.

RESOLUTION—DIRECTING THE ATTORNEY GENERAL TO TRANSMIT TO THE HOUSE DOCUMENTS RELATING TO DISCLOSURE OF THE IDENTITY OF VALERIE PLAME

Committee on the Judiciary: Ordered adversely reported H. Res. 420, Directing the Attorney General to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resolution documents in the possession of the Attorney General relating to the disclosure of the identity and employment of Ms. Valerie Plame.

COAST GUARD AND MARITIME TRANSPORTATION ACT OF 2005

Committee on Rules: The Committee granted a modified open rule providing 1 hour of general debate on H.R. 889, Coast Guard and Maritime Transportation Act of 2005 equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill shall be considered as an original bill for the purpose of amendment. The rule waives all points of order against the committee amendment in the nature of a substitute. The rule provides that the bill shall be considered for amendment under the five-minute rule and that it shall be read by title. The rule makes in order only those amendments to the bill that are pre-printed in the Congressional Record or are pro forma amendments for the purpose of debate. The rule provides that each amendment printed in the Congressional Record may be offered only by the Member who caused it to be printed or a designee, and that each amendment shall be considered as read. The rule provides one motion to recommit with or without instructions. Finally, the rule allows the Speaker to entertain a motion to suspend the rules and pass the bill, H.R. 3768 on the legislative day of Thursday, September 15, 2005. Testimony was heard from Chairman Young.

SELECT BIPARTISAN COMMITTEE TO INVESTIGATE THE PREPARATION FOR AND RESPONSE TO HURRICANE KATRINA

Committee on Rules: The Committee granted a closed rule providing 1 hour of debate on H. Res. 437, To establish the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina in the House equally divided and controlled by the chairman and ranking minority member of the Committee on Rules. The rule waives all points of order against consideration of the resolution. Finally, the rule provides one motion to recommit which may not contain instructions.

SELECT BIPARTISAN COMMITTEE TO INVESTIGATE THE PREPARATION FOR AND RESPONSE TO HURRICANE KATRINA

Committee on Rules: Ordered reported H. Res. 437, To establish the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina.

OVERSIGHT VETERANS MATTERS

Committee on Veterans' Affairs: Held an oversight hearing regarding the Department of Veterans Affairs information technology infrastructure reorganization, and proposed legislation to enhance the role of the Chief Information Officer. Testimony was heard from Linda Koontz, Director, Information Management Issues, GAO; from the following officials of the Department of Veterans' Affairs: Gordon H. Mansfield, Deputy Secretary; Richard A. Wannemacher, Jr., Acting Under Secretary, Memorial Affairs, National Cemetery Administration; Robert N. McFarland, Assistant Secretary, Information Technology and Chief Information Officer; and Pedro Cadenas, Associate Deputy Secretary, Cyber and Information Security; Jeff Seifert, Analyst in Information, Science and Technology Policy, Resources, Science, and Industry Division, CRS. Library of Congress; and a public witness.

EFFECTS OF UNAUTHORIZED DISCLOSURES OF CLASSIFIED INFORMATION

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on the Effects of Unauthorized Disclosures of Classified Information. Testimony was heard from departmental witnesses.

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Thursday, September 15, 2005

Senate

Chamber Action

Routine Proceedings, pages 20478–20588

Measures Introduced: Eleven bills and six resolutions were introduced, as follows: S. 1706–1716, and S. Res. 239–244. **Page 20542**

Measures Reported:

S. 360, to amend the Coastal Zone Management Act, with an amendment in the nature of a substitute. (S. Rept. No. 109–137) **Page 20542**

Measures Passed:

Hurricane Katrina Tax Relief Act: Committee on Finance was discharged from further consideration of S. 1696, to provide tax relief for the victims of Hurricane Katrina, to provide incentives for charitable giving, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Page 20487**

Grassley/Baucus Amendment No. 1722, in the nature of a substitute. **Page 20488**

A unanimous-consent agreement was reached providing that the bill be held at the desk. **Page 20488**

Subsequently, the passage of the bill was vitiated and ordered placed on the Senate Calendar. **Page 20571**

Sportfishing and Recreational Boating Safety Amendments Act: Senate passed H.R. 3649, to ensure funding for sportfishing and boating safety programs funded out of the Highway Trust Fund through the end of fiscal year 2005, after agreeing to the following amendment proposed thereto: **Page 20488**

Grassley (for Bond/Murray) Amendment No. 1723, to make technical corrections to Public Law 109–59. **Page 20488**

Commerce/Justice/Science Appropriations: By a vote of 91 yeas to 4 nays (Vote No. 235), Senate passed H.R. 2862, making appropriations for the Departments of Commerce and Justice, Science, and related agencies for the fiscal year ending September 30, 2006, after taking action on the following amendments proposed thereto: **Pages 20479, 20491**

Adopted:

By a unanimous vote of 99 yeas (Vote. 231), Grassley Modified Amendment No. 1713, to provide that funds must be used in a manner consistent with the Bipartisan Trade Promotion Authority Act of 2002. **Page 20485**

Shelby (for Kyl) Amendment No. 1719, to provide $5,000,000 in the Southwest United States for hiring officers dedicated to the investigation of manufacturers of fraudulent Federal identity documents, Federal travel documents, or documents allowing access to Federal programs. **Page 20486**

Shelby (for Baucus) Amendment No. 1720, to provide funds for economic adjustment and development to areas impacted by Hurricane Katrina. **Page 20486**

Shelby (for Durbin/Coburn) Amendment No. 1721, to permit certain health professionals who are displaced by Hurricane Katrina to provide health-related services under the Medicare, Medicaid, SCHIP, and Indian Health Service programs in States to which such professionals relocate. **Page 20486**

By a unanimous vote of 96 yeas (Vote No. 233), Shelby (for Snowe/Vitter) Amendment No. 1717, to provide assistance for small businesses damaged by Hurricane Katrina. **Page 20492**

Shelby (for Inouye) Amendment No. 1716, to extend the provisions on an expiring provision of the Universal Service Antideficiency Temporary Suspension Act. **Page 20493**

Shelby (for Kerry) Modified Amendment No. 1724, to reduce fees on loans to small businesses. **Page 20493**

Shelby (for Reid) Amendment No. 1725, to provide additional funding for the Federal Bureau of Investigation for processing of background checks for petitions and applications pending before U.S. Citizenship and Immigration Services. **Page 20493**

Rejected:

By 39 yeas to 60 nays (Vote No. 232), Dorgan Amendment No. 1665, to prohibit weakening any law that provides safeguards from unfair foreign trade practices. **Page 20482**

Withdrawn:

Kerry/Landrieu Amendment No. 1695, to strengthen the loan, procurement assistance, and management education programs of the Small Business Administration in order to help small businesses and home owners hurt by Hurricane Katrina meet their existing obligations, finance their businesses, and maintain and create jobs, thereby providing stability to the national economy. **Page 20492**

Bingaman Amendment No. 1706, to provide funds for educational assistance to individuals and schools impacted by Hurricane Katrina. **Pages 20481, 20493**

During consideration of this measure today, Senate also took the following action:

Chair sustained a point of order that Kyl Amendment No. 1718, to prevent the use of certain payment instruments, credit cards, and fund transfers for unlawful Internet gambling, violates Rule XVI of the Standing Rules of the Senate, which constitutes general legislation on an appropriations bill, and therefore was ruled out of order. **Page 20479**

By 43 yeas to 52 nays (Vote No. 234), two-thirds of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to suspend Rule XVI, pursuant to notice previously given in writing, relative to Lieberman Amendment No. 1678, to provide financial relief for individuals and entities affected by Hurricane Katrina. Subsequently, the Chair sustained the point of order that the amendment was in violation of Rule XVI of the Standing Rules of the Senate which prohibits legislation on appropriations matters, and the amendment thus fell. **Page 20494**

Senate insisted on its amendments, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Shelby, Gregg, Stevens, Domenici, McConnell, Hutchison, Brownback, Bond, Cochran, Mikulski, Inouye, Leahy, Kohl, Murray, Harkin, Dorgan, and Byrd. **Page 20501**

Hurricane Katrina Tax Relief Act: Senate passed H.R. 3768, to provide emergency tax relief for persons affected by Hurricane Katrina, after agreeing to the following amendment proposed thereto: **Page 20571**

Frist (for Grassley/Baucus) Amendment No. 1728, in the nature of a substitute. **Page 20571**

Supporting the Pledge of Allegiance: Senate agreed to S. Res. 243, expressing support for the Pledge of Allegiance. **Page 20571**

Supporting the Pledge of Allegiance: Senate agreed to S. Res. 244, expressing support for the Pledge of Allegiance. **Page 20573**

Pell Grant Hurricane and Disaster Relief Act: Senate passed H.R. 3169, to provide the Secretary of Education with waiver authority for students who are eligible for Pell Grants who are adversely affected by a natural disaster, clearing the measure for the President. **Page 20573**

Student Grant Hurricane and Disaster Relief Act: Senate passed H.R. 3668, to provide the Secretary of Education with waiver authority for students who are eligible for Federal student grant assistance who are adversely affected by a major disaster, clearing the measure for the President. **Page 20573**

TANF Emergency Response and Recovery Act: Senate passed H.R. 3672, to provide assistance to families affected by Hurricane Katrina, through the program of block grants to States for temporary assistance for needy families, clearing the measure for the President. **Page 20573**

Recognizing American Academy of Pediatrics 75th Anniversary: Committee on the Judiciary was discharged from further consideration of S. Res. 204, recognizing the 75th anniversary of the American Academy of Pediatrics and supporting the mission and goals of the organization, and the resolution was then agreed to. **Page 20574**

Opposing Anti-Semitism: Senate agreed to S. Res. 240, expressing the sense of the Senate regarding manifestations of anti-Semitism by United Nations member states and urging action against anti-Semitism by United Nations officials, United Nations member states, and the Government of the United States. **Page 20574**

Leukemia, Lymphoma, and Myeloma Awareness Month: Senate agreed to S. Res. 241, designating September 2005, as "Leukemia, Lymphoma, and Myeloma Awareness Month"; **Page 20575**

Agriculture Appropriations: Senate began consideration of H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, agreeing to the committee amendment in the nature of a substitute, which will be considered as original text for the purpose of further amendment, and taking action on the following amendment proposed thereto: **Page 20502**

Pending:

Bennett/Kohl Amendment No. 1726, to amend the Rural Electrification Act of 1936. **Page 20524**

A unanimous-consent agreement was reached providing for further consideration of the bill at 3 p.m. on Monday, September 19, 2005. **Page 20579**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, the recommendations of the Defense Base Closure and Realignment Commission; which was referred to the Committee on Armed Services. (PM-22) **Page 20540**

Nominations Received: Senate received the following nominations:

Michael R. Arietti, of Connecticut, to be Ambassador to the Republic of Rwanda.

Karan K. Bhatia, of Maryland, to be Deputy United States Trade Representative, with the Rank of Ambassador.

Edwin G. Foulke, Jr., of South Carolina, to be an Assistant Secretary of Labor.

Richard Stickler, of West Virginia, to be Assistant Secretary of Labor for Mine Safety and Health.

2 Air Force nominations in the rank of general.

Routine lists in the Air Force, Army, Coast Guard, Navy. **Page 20579**

Messages From the House: **Page 20541**

Measures Referred: **Page 20541**

Measures Placed on Calendar: **Page 20541**

Measures Read First Time: **Page 20541**

Executive Communications: **Page 20541**

Additional Cosponsors: **Page 20543**

Statements on Introduced Bills/Resolutions: **Page 20544**

Additional Statements: **Page 20538**

Amendments Submitted: **Page 20555**

Notices of Hearings/Meetings: **Page 20570**

Authority for Committees to Meet: **Page 20570**

Privilege of the Floor: **Page 20571**

Record Votes: Five record votes were taken today. (Total—235) **Pages 20485–86, 20492, 20494, 20501**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 8:39 p.m., until 2 p.m., on Monday, September 19, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 20579.)

Committee Meetings

CAPITOL VISITOR CENTER

Committee on Appropriations: Subcommittee on Legislative Branch concluded a hearing to examine the progress of Capitol Visitor Center construction, focusing on the Architect of the Capitol's progress in managing the project's schedule since the Subcommittee's last hearing on the project, estimate of a general time frame for completing the construction, and the costs and funding, including the potential impact of scheduling issues on cost, after receiving testimony from Alan Hartman, Architect of the Capitol; Bernard L. Ungar, Director, and Terrell Dorn, Assistant Director, both of Physical Infrastructure Issues, Government Accountability Office.

NOMINATIONS:

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the nominations of Keith E. Gottfried, of California, to be General Counsel, Kim Kendrick, of the District of Columbia, who was introduced by Senator Santorum, Keith A. Nelson, of Texas, and Darlene F. Williams, of Texas, each to be an Assistant Secretary, all of the Department of Housing and Urban Development, and Israel Hernandez, of Texas, to be Assistant Secretary and Director General of the United States and Foreign Commercial Service, Darryl W. Jackson, of the District of Columbia, to be an Assistant Secretary, Franklin L. Lavin, of Ohio, to be Under Secretary for International Trade, who was introduced by Senator DeWine, and David H. McCormick, of Pennsylvania, to be Under Secretary for Export Administration, who was introduced by Senator Santorum, all of the Department of Commerce, after the nominees testified and answered questions in their own behalf.

U.S.-INDONESIA RELATIONS

Committee on Foreign Relations: Subcommittee on East Asian and Pacific Affairs concluded a hearing to examine U.S.-Indonesia relations, focusing on a bilateral relationship with Indonesia, after receiving testimony from Eric G. John, Deputy Assistant Secretary of State for Bureau of East Asian and Pacific Affairs; James R. Kunder, Assistant Administrator, Bureau for Asia and the Near East, U.S. Agency for International Development; Hadi Soesastro, Centre for Strategic and International Studies, Jakarta, Indonesia; Randolph Martin, Mercy Corps, Washington, D.C.; and Paul M. Cleveland, Arlington, Virginia.

NOMINATIONS:

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nominations of Stewart A. Baker, of Virginia, who was introduced by Senator McCain and former Senator Robb, and Julie L. Myers, of Kansas, who was introduced by Senator Roberts, each to be an Assistant Secretary of Homeland Security, after the nominees testified and answered questions in their own behalf.

NOMINATION

Committee on the Judiciary: Committee concluded hearings on the nomination of John G. Roberts, Jr., of Maryland, to be Chief Justice of the United States Supreme Court, after the nominee further answered questions in his own behalf. Also, testimony was received from Representative John Lewis; Jennifer Cabranes Braceras and Peter Kirsanow, each a Commissioner, U.S. Commission on Civil Rights; Dick Thornburgh, former Attorney General of the United States; Carol M. Browner, former Administrator, Environmental Protection Agency; John Engler, former Michigan Governor, Lansing; Bruce Botelho, former Alaska Attorney General, Juneau; Judge Nathaniel Jones, U.S. Circuit Court of Appeals to the Sixth Circuit (Retired); Judge Denise Lindberg, Third District of the Utah State Court, Salt Lake City; Stephen L. Tober, Portsmouth, New Hampshire, Tom Hayward, Chicago, Illinois, and Pamela A. Bresnahan, Washington, D.C., all on behalf of the American Bar Association; Reginald M. Turner, Jr., National Bar Association, Detroit, Michigan; Wade Henderson, Leadership Conference on Civil Rights, Maureen E. Mahoney, Latham & Watkins, Catherine E. Stetson, Hogan & Hartson, Marcia Greenberger, National Women's Law Center, Peter B. Edelman, Georgetown University Law Center, and Diana Furchtgott-Roth, Hudson Institute, all of Washington, D.C.; Kathryn Webb Bradley, Duke Law School, Durham, North Carolina; Charles Fried, Harvard Law School, Cambridge, Massachusetts; Patricia L. Bellia, Notre Dame Law School, South Bend, Indiana; Judith Resnik, Yale Law School, New Haven, Connecticut; Christopher S. Yoo, Vanderbilt University Law School, Nashville, Tennessee; David Strauss, University of Chicago Law School, and Susan Thistlethwaite, Chicago Theological Seminary, both of Chicago, Illinois; Robert Reich, Brandeis University, Waltham, Massachusetts; Anne Marie Tallman, Mexican American Legal Defense and Education Fund, Los Angeles, California; Rabbi Dale Polakoff, Rabbinical Council of America, Great Neck, New York; Karen Pearl, Planned Parenthood Federation of America, New York, New York; Henrietta Wright, Dallas, Texas, on behalf of the Dallas Children's Advocacy Center; Roderick Jackson, Ensley High School, Birmingham, Alabama; and Beverly Jones, Lafayette, Tennessee.

BUSINESS MEETING

Committee on Veterans' Affairs: Committee ordered favorably reported the following bills:

S. 1182, to amend title 38, United States Code, to improve health care for veterans, with an amendment in the nature of a substitute (as approved by the Committee, the substitute amendment incorporated related provisions of S. 1182, as introduced, and provisions of S. 1177, S. 1189, and S. 1190); and

S. 716, to amend title 38, United States Code, to enhance services provided by vet centers, to clarify and improve the provision of bereavement counseling by the Department of Veterans Affairs.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 35 public bills, H.R. 3784–3818; 5 private bills, H.R. 3819–3823; and 8 resolutions, H. Con. Res. 244–245; and H. Res. 444–449 were introduced. **Page 20474**

Additional Cosponsors: **Page 20476**

Reports Filed: There were no reports filed today.

Suspensions: The House agreed to suspend the rules and pass the following measures:

Katrina Emergency Tax Relief Act of 2005: H.R. 3768, amended, to provide emergency tax relief for persons affected by Hurricane Katrina. **Page 20398**

A resolution to establish the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina: The House passed H. Res. 437, to establish the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina by a yea and nay vote of 224 yeas to 188 nays, Roll No. 475. **Pages 20407, 20443**

H. Res. 439, the rule providing for consideration of the bill was agreed to by a recorded vote of 221 ayes to 193 noes, Roll No. 472, after agreeing to order the previous question by a yea-and-nay vote 222 yea to 193 nay, Roll No. 471. **Page 20344**

Coast Guard and Maritime Transportation Act of 2005: The House passed H.R. 889, to authorize appropriations for the Coast Guard for fiscal year 2006, to make technical corrections to various laws administered by the Coast Guard by a yea-and-nay vote of 415 yeas with none voting "nay", Roll No. 474. **Page 20417**

Pursuant to the rule the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure, now printed in the bill shall be considered as an original bill for the purpose of amendment. **Page 20422**

Agreed to:

LoBiondo amendment (No. 11 printed in the Congressional Record) that authorizes additional funding for operation and maintenance of the Coast Guard as a result of Hurricane Katrina and to add certain other sundry provisions; **Page 20422**

Young of Alaska amendment (No. 13 printed in the Congressional Record) that will confirm the legality of allowing foreign workers to work on U.S.-flag vessels on international voyages to conduct various non-watchstanding functions. The amendment also requires these foreign personnel to possess a transportation security card, when required by 46 U.S.C. § 70105; **Page 20431**

Young of Alaska amendment (No. 15 printed in the Congressional Record) to include provisions regarding eligibility to participate in the Western Alaska Community Development Quota Program; **Page 20431**

Young of Alaska amendment (No. 14 printed in the Congressional Record) that adjusts the Voluntary Three-Pie Cooperative Program implementing regulations in regard to quotas for crab fisheries of the Bering Sea and Aleutian Islands which was implemented under Public Law 108–199; **Page 20432**

Souder amendment (No. 10 printed in the Congressional Record) which authorizes funding for the Bureau for International Narcotics and Law Enforcement Affairs (INL) to purchase or lease a maritime refueling vessel to support United States drug interdiction efforts in the Eastern Pacific maritime transit zone; **Page 20432**

Fossella amendment (No. 4 printed in the Congressional Record) that requires ferries that carry 399 passengers or more to have voyage data recorders on board. It would also authorize funding for the program; and **Page 20437**

Loretta Sanchez of California amendment, as modified (No. 2 printed in the Congressional Record) would have the Commandant of the Coast Guard review the adequacy of the strength of the active duty personnel to carry out all the Coast Guard's missions. **Page 20438**

Rejected:

Markey amendment (No. 6 printed in the Congressional Record) that sought to require the Coast Guard to perform an assessment of the security and safety of all new or expanded Liquefied Natural Gas (LNG) terminals, and provides the Commandant of the Coast Guard with the power to block construction of new terminals or expansion of existing terminals based on security or safety concerns (by a recorded vote of 106 ayes to 316 noes, Roll No. 473). **Pages 20433, 20441**

Withdrawn:

Oberstar amendment that was offered and subsequently withdrawn that sought to make technical and conforming changes; **Page 20427**

Inslee amendment (No. 7 printed in the Congressional Record) was offered and subsequently withdrawn that sought to require the Secretary of Homeland Security to reimburse port authorities, facility operators, and State and local agencies that are required under Federal law to provide security services or funds to implement Area Maritime Transportation Security Plans and facility security plans; and **Page 20438**

Markey amendment (No. 9 printed in the Congressional Record) was offered and subsequently withdrawn that sought to provide that when the Coast Guard writes its Area Maritime Transportation Security Plans, it will now be required to list facilities located within the Area that could substitute safer chemicals or processes in order to reduce the consequences of a toxic release caused by a future hurricane or other natural disaster or terrorist attack. It would also require the Coast Guard to recommend special efforts or procedures for proposed new facilities that might be built near densely populated areas or in other sensitive areas that might have important economic or national security significance. **Page 20439**

Ageed that the Clerk be authorized to make technical and conforming changes in the engrossment of the bill to reflect the actions of the House. **Page 20444**

H. Res. 440, the rule providing for consideration of the bill was agreed to by voice vote after agreeing to order the previous question without objection. **Page 20347**

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at 12 noon on Monday, September 19, and when the House adjourns on Monday, it adjourn to meet at 12:30 p.m. on Tuesday, September 20, 2005, for Morning Hour debate. **Page 20447**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, September 21. **Page 20447**

Committee Elections: The House agreed to H. Res. 445, electing the following Members and Delegates to the following standing committees: **Page 20447**

Committee on Agriculture: Mrs. Schmidt to rank after Mr. Fortenberry. **Page 20447**

Committee on Government Reform: Mrs. Schmidt to rank after Ms. Foxx. **Page 20447**

Committee on Homeland Security: Mr. King of New York, Chairman; Ms. Ginny Brown-Waite of Florida to rank after Mr. Dent. **Page 20447**

Committee on Transportation and Infrastructure: Mrs. Schmidt to rank after Mr. Boustany. **Page 20447**

Sense of Congress Welcoming President Chen Shui-bian of Taiwan to the United States on September 20, 2005: The House agreed to H. Con. Res. 237, expressing the sense of Congress welcoming President Chen Shui-bian of Taiwan to the United States on September 20. **Page 20447**

Agreed to the Chabot amendment to the preamble of the measure. **Page 20448**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Thornberry to act as Speaker pro tempore to sign enrolled bills and joint resolutions through September 20, 2005. **Page 20449**

Presidential Message: Read a message from the President wherein he transmitted to Congress the report containing the recommendations of the Defense Base Closure and Realignment Commission—referred to the Committee on Armed Services and ordered printed (H. Doc. 109–56). **Page 20448**

Senate Messages: Messages received from the Senate today appear on pages 20345 and 20417.

Quorum Calls—Votes: Three yea-and-nay votes and 2 recorded votes developed during the proceedings of today and appear on pages 20397–98 and 20441–43. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 8:37 p.m.

Committee Meetings

NATIONAL ANIMAL IDENTIFICATION SYSTEMS

Committee on Agriculture: Held a hearing to review Canada and Australia's experience with implementing national animal identification systems. Testimony was heard from public witnesses.

ISSUANCE OF SUBPOENAS

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations authorized the issuance of subpoenas duces tecum to the Jockeys' Guild and to Matrix Capital Associates, Inc.

KATRINA/EMERGENCY HOUSING

Committee on Financial Services: Subcommittee on Housing and Community Opportunity held a hearing entitled "Emergency Housing Needs in the Aftermath of Hurricane Katrina." Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES; COMMITTEE REPORT

Committee on Government Reform: Ordered reported the following measures: H. Con. Res. 59, Recognizing the contributions of African-American basketball teams and players for their achievements, dedication, and contributions to the sport of basketball and to the Nation; H. Con. Res. 209, Supporting the goals and ideals of Domestic Violence Awareness Month and expressing the sense of Congress that Congress should raise awareness of domestic violence in the United States and its devastating effects on families; H.J. Res. 61, Supporting the goals and ideals of Gold Star Mothers Day; H.R. 2062, To designate the facility of the United States Postal Service located at 57 West Street in Newville, Pennsylvania, as the "Randall D. Shughart Post Office Building"; H.R. 2413, To designate the facility of the United States Postal Service located at 1202 1st Street in Humble, Texas, as the "Lillian McKay Post Office Building"; H.R. 3439, To designate the facility of the United States Postal Service located at 201 North 3rd Street in Smithfield, North Carolina, as the "Ava Gardner Post Office"; H.R. 3440, To designate the facility of the United States Postal Service located at 100 Avenida RL Rodreguez in Bayamon, Puerto Rico, as the "Dr. Jose Celso Barbosa Post Office Building"; H.R. 3667, To designate the facility of the United States Postal Service located at 200 South Barrington Street In Los Angeles, California, as the "Karl Malden Station"; H.R. 3703, To designate the facility of the United States Postal Service located at 8501 Philatelic

Drive in Spring Hill, Florida, as the "Staff Sergeant Michael Schafer Post Office Building"; S. 1275, To designate the facility of the United States Postal Service located at 7172 North Tongass Highway, Ward Cove, Alaska, as the "Alice R. Brusich Post Office Building"; S. 1223, Information Technology for Health Care Quality Act; a Committee Report entitled "A Citizen's Guide on Using the Freedom of Information Act and the Privacy Act of 1974 to Request Government Records"; H.R. 3508, amended, 2005 District of Columbia Omnibus Authorization Act; H.R. 3128, Clarification of Federal Employment Protections Act; H.R. 3767, To designate the facility of the United States Postal Service located at 2600 Oak Street in St. Charles, Illinois, as the "Jacob L. Frazier Post Office Building"; H. Res. 429, Congratulating the West Oahu Little League Baseball team for winning the 2005 Little League Baseball World Series.

KATRINA LESSONS LEARNED

Committee on Government Reform: Held a hearing entitled "Back to the Drawing Board: A First Look at Lessons Learned from Katrina." Testimony was heard from the following officials of the State of California: Constance Perett, Administrator, Office of Emergency Management, County of Los Angeles; and Ellis Stanley, General Manager, Emergency Preparedness Department, City of Los Angeles; Robert C. Bobb, City Administrator, District of Columbia; the following officials of the State of Florida: Tony Carper, Jr., Director, Emergency Management Agency, Broward County; and Chief Carlos Castillo, Director, Office of Emergency Management, Miami-Dade County; and public witnesses.

MISCELLANEOUS MEASURES

Committee on International Relations: Ordered reported the following measures: H. Con. Res. 195, amended, Commemorating the Armenian Genocide of 1915–1923, urging the Government of the Republic of Turkey to acknowledge the culpability of its predecessor state, the Ottoman Empire, for the Armenian Genocide and engage in rapprochement with the Republic of Armenia and the Armenian people, and supporting the accession of Turkey to the European Union if Turkey meets certain criteria; H. Res. 316, Affirmation of the United States Record on the Armenian Genocide Resolution; and H.R. 1973, amended, Water for the Poor Act of 2005.

The Committee approved a motion urging the chairman to request that the following measures be considered on the Suspension Calendar: H.R. 1409, amended, Assistance for Orphans and Other Vulnerable Children in Developing Countries Act of 2005; H.R. 3184, To ensure that countries that have signed a Small Quantities Protocol also sign, ratify, and implement the Additional Protocol and provide access by IAEA inspectors to their nuclear-related facilities and to direct the United States Permanent Representative to the IAEA to make every effort to rescind and eliminate the Small Quantities Protocol and ensure compliance by all Member States of the IAEA with IAEA obligations and the purposes and principles of the Charter of the United Nations; H.R. 3269, To amend the International Organizations Immunities Act to provide for the applicability of that Act to the Bank for International Settlements; H. Res. 38, amended, Expressing support for the accession of Israel to the Organization for Economic Co-operation and Development (OECD); H. Res. 388, Expressing the sense of the House of Representatives regarding the July, 2005, measures of extreme repression on the part of the Cuban Government against members of Cuba's prodemocracy movement, calling for the immediate release of all political prisoners, the legalization of political parties and free elections in Cuba, urging the European Union to reexamine its policy toward Cuba, and calling on the representative of the United States to the 62d session of the United Nations Commission on Human Rights to ensure a resolution calling upon the Cuban regime to end its human rights violations; H. Res. 409, Condemning the Government of Zimbabwe's "Operation Murambatsvina" under which homes, businesses, religious structures, and other buildings and facilities were demolished in an effort characterized by the Government of Zimbabwe as an operation to "restore order" to the country; H. Con. Res. 237, amended, Expressing the sense of Congress welcoming President Chen Shui-bian of Taiwan to the United States on September 20, 2005; and H. Con. Res. 238, amended, Honoring the victims of the Cambodian genocide that took place from April 1975 to January 1979.

PATENT ACT SUBSTITUTE

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property held a hearing entitled "An Amendment in the Nature of a Substitute to H.R. 2795, 'The Patent Act of 2005'." Testimony was heard from public witnesses.

FOREIGN NATIONALS/ESPIONAGE

Committee on the Judiciary: Subcommittee on Immigration, Border Security, and Claims held an oversight hearing entitled "Sources and Methods of Foreign Nationals Engaged in Economic and Military Espionage," Testimony was heard from Michelle Van Cleave, National Counterintelligence Executive, Office of the Director of National Intelligence; Maynard Anderson, former Deputy Under Secretary, Security Policy, Department of Defense; and public witnesses.

CYBERSECURITY/PROTECTING CRITICAL INDUSTRIES

Committee on Science: Held a hearing on Cybersecurity: How Can the Government Help Address Vulnerabilities in Critical Industries? Testimony was hearing from Donald Purdy, Acting Director, National Cyber Security Division, Department of Homeland Security; and public witnesses.

ENDANGERED SPECIES ACT IMPROVEMENTS

Committee on Small Business: Subcommittee on Rural Enterprise, Agriculture and Technology held a hearing entitled "The Need for Improvements and More Incentives in the Endangered Species Act." Testimony was heard from Representative Pombo; Mike Wells, Chief of Water Resources, Department of Natural Resources, State of Missouri; and public witnesses.

BRIEFING—INSPECTOR GENERAL'S 9/11 ACCOUNTABILITY REPORT

Permanent Select Committee on Intelligence: Met in executive session to receive a Briefing on Inspector General's 9/11 Accountability Report. The Committee was briefed by departmental witnesses.

RESOLUTION—REQUESTING THE PRESIDENT FOR DOCUMENTS RELATING TO THE DISCLOSURE OF THE IDENTITY AND EMPLOYMENT OF VALERIE PLAME

Permanent Select Committee on Intelligence: Met in executive session and ordered adversely reported H. Res. 418, Requesting the President to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resolution documents in the possession of the President relating to the disclosure of the identity and employment of Ms. Valerie Plame.

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Monday, September 19, 2005

Senate

Chamber Action

Routine Proceedings, pages 20632–71

Measures Introduced: Nine bills were introduced, as follows: S. 1717–1725. **Page 20655**

Agriculture Appropriations: Senate resumed consideration of H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, taking action on the following amendments proposed thereto: **Pages 20640, 20651**

Adopted:

Cochran Amendment No. 1735, to provide for the consideration of the Municipality of Carolina, Puerto Rico as meeting the eligibility requirements for loans and grants programs in the Rural Development mission area. **Page 20642**

Pending:

Bennett/Kohl Amendment No. 1726, to amend the Rural Electrification Act of 1936. **Page 20640**

Reid (for Nelson (NE)) Amendment No. 1732, to prohibit the use of funds for developing a final rule with respect to the importation of beef from Japan. **Page 20651**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:45 a.m. on Tuesday, September 20, 2005. **Page 20669**

Nominations Received: Senate received the following nominations:

Peter Cyril Wyche Flory, of Virginia, to be an Assistant Secretary of Defense.

Eric S. Edelman, of Virginia, to be Under Secretary of Defense for Policy.

John Robert Bolton, of Maryland, to be the Representative of the United States of America to the United Nations, with the rank and status of Ambassador, and the Representative of the United States of America in the Security Council of the United Nations, to which position he was appointed during the recess of the Senate from July 29, 2005, to September 1, 2005.

John Robert Bolton, of Maryland, to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations during his tenure of service as Representative of the United States of America to the United Nations, to which position he was appointed during the recess of the Senate from July 29, 2005, to September 1, 2005.

John J. Danilovich, of California, to be Chief Executive Officer, Millennium Challenge Corporation.

Peter Schaumber, of the District of Columbia, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2010, to which position he was appointed during the recess of the Senate from July 29, 2005, to September 1, 2005.

Alice S. Fisher, of Virginia, to be an Assistant Attorney General.

Routine lists in the Air Force, Army, Navy. **Page 20669**

Nominations Withdrawn: Senate received notification of withdrawal of the following nomination:

Terry Neese, of Oklahoma, to be Director of the Mint for a term of five years, which was sent to the Senate on July 29, 2005. **Page 20671**

Messages From the House: **Page 20653**

Measures Referred: **Page 20654**

Measures Placed on Calendar: **Pages 20632, 20654**

Measures Read First Time: **Pages 20654, 20669**

Executive Communications: **Page 20654**

Additional Cosponsors: **Page 20655**

Statements on Introduced Bills/Resolutions: **Page 20656**

Additional Statements: **Page 20652**

Amendments Submitted: **Page 20668**

Notices of Hearings/Meetings: Page 20668

Authority for Committees to Meet: Page 20668

Adjournment: Senate convened at 2 p.m., and adjourned at 5:42 p.m., until 9:45 a.m., on Tuesday, September 20, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 20669.)

Committee Meetings

NOMINATION

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of C. Boyden Gray, of the District of Columbia, to be Representative of the United States of America to the European Union, with the rank and status of Ambassador, who was introduced by Senator Dole, and Francis Rooney, of Florida, to be Ambassador to the Holy See, and Alfred Hoffman, of Florida, to be Ambassador to the Republic of Portugal, who were both introduced by Senator Martinez, after the nominees testified and answered questions in their own behalf.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 2 public bills, H.R. 3824–3825; and H. Res. 450, were introduced. Page 20630

Additional Cosponsors: Page 20631

Reports Filed: Reports were filed as follows:

H. Res. 375, a resolution requesting the President and directing the Secretary of State to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resolution all information in the possession of the President and the Secretary of State relating to communication with officials of the United Kingdom between January 1, 2002, and October 16, 2002, relating to the policy of the United States with respect to Iraq, adversely (Rept. 109–223) (filed on September 16, 2005);

H. Res. 408, a resolution requesting the President and directing the Secretary of Defense to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resolution all documents in the possession of the President and Secretary of Defense relating to communications with officials of the United Kingdom relating to the policy of the United States with respect to Iraq, adversely (Rept. 109–224) (filed on September 16, 2005); and

H. Res. 419, a resolution directing the Secretary of State to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resolution documents in the possession of the Secretary of State relating to the disclosure of the identity and employment of Ms. Valerie Plame, adversely (Rept. 109–225) (filed on September 16, 2005). Page 20630

Speaker: Read a letter from the Speaker wherein he appointed Representative Tom Davis of Virginia to act as Speaker pro tempore for today. Page 20619

Quorum Calls—Votes: There were no votes or quorum calls.

Adjournment: The House met at 12 p.m. and adjourned at 12:05 p.m.

Committee Meetings

No committee meetings were held.

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Tuesday, September 20, 2005

Senate

Chamber Action

Routine Proceedings, pages 20677–20721

Measures Introduced: Twelve bills and one resolution were introduced, as follows: S. 1726–1737, and S. Con. Res. 53. Page 20708

Agriculture Appropriations: Senate continued consideration of H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, taking action on the following amendments proposed thereto: Pages 20684, 20690

Adopted:

Allard Amendment No. 1738, to express the sense of the Senate on the importation into the United States of beef from Japan. Page 20686

By 72 yeas to 26 nays (Vote No. 236), Reid (for Nelson (NE)) Amendment No. 1732, to prohibit the use of funds for developing a final rule with respect to the importation of beef from Japan. Page 20684

Allard Modified Amendment No. 1737, to allow the Secretary to lease certain land to the Board of Governors of the Colorado State University System for its Shortgrass Steppe Biological Field Station. Page 20688

Durbin (for Reid) Amendment No. 1747, to provide for minimum prices for milk handlers. Page 20690

Durbin (for Inouye) Amendment No. 1748, to limit the use of funds made available to the Animal and Plant Health Inspection Service. Page 20690

Durbin Amendment No. 1749, to insert provisions related to conflicts of interest among members of advisory panels of the Food and Drug Administration. Page 20691

Bennett Amendment No. 1750, to provide for the conveyance of land to the Mississippi State University, Starkville. **Page 20692**

Bennett Amendment No. 1751, to provide for a comprehensive report on the economic development and current status of the sheep industry in the United States. **Page 20692**

Bennett Amendment No. 1752, to establish a demonstration intermediate relending program for the construction and rehabilitation of housing for the Choctaw Nation. **Page 20692**

Akaka Amendment No. 1729, to prohibit Federal funding of research facilities that purchase animals from Class-B dealers. **Pages 20695, 20696**

Akaka Amendment No. 1730, to ensure the humane slaughter of nonambulatory livestock. **Page 20695**

Bennett/Kohl Amendment No. 1726, to amend the Rural Electrification Act of 1936. **Page 20698**

Talent/Pryor Amendment No. 1763, to prohibit the use of funds to close or relocate certain local offices of the Farm Service Agency. **Page 20698**

By 68 yeas to 29 nays (Vote No. 237), Ensign Modified Amendment No. 1753, to prohibit the use of appropriated funds to pay the salaries or expenses of personnel to inspect horses under certain authority or guidelines. **Page 20699**

Roberts Amendment No. 1742, to modify the conditions under which the Federal Crop Insurance Corporation may offer crop insurance to single producers. **Page 20699**

Kohl (for Harkin) Amendment No. 1765, to require the Secretary of Agriculture to provide notice to Congress before initiating any structural change in a mission area of the Department. **Page 20700**

Kohl (for Pryor) Amendment No. 1766, to provide a technical correction for the community eligibility for rural utilities programs in Arkansas. **Page 20700**

A unanimous-consent agreement was reached providing that all first-degree amendments, except those cleared by the managers of the bill, be filed by 4 p.m. on Wednesday, September 21, 2005. **Page 20702**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m. on Wednesday, September 21, 2005. **Page 20721**

Messages From the House: **Page 20707**

Measures Placed on Calendar: **Page 20707**

Executive Communications: **Page 20707**

Additional Cosponsors: **Page 20709**

Statements on Introduced Bills/Resolutions: **Page 20710**

Additional Statements: **Page 20706**

Amendments Submitted: **Page 20716**

Notices of Hearings/Meetings: **Page 20721**

Authority for Committees to Meet: **Page 20721**

Record Votes: Two record votes were taken today. (Total—237) **Pages 20688, 20699**

Adjournment: Senate convened at 9:45 a.m., and adjourned at 6:36 p.m., until 9:30 a.m., on Wednesday, September 21, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 20721.)

Committee Meetings

NOMINATIONS

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the nominations of Emil W. Henry, Jr., of New York, to be Assistant Secretary for Financial Institutions, who was introduced by Representative Kelly, and Patrick M. O'Brien, of Minnesota, to be Assistant Secretary for Terrorist Financing, who was introduced by Senator Hatch, both of the Department of the Treasury, after the nominees testified and answered questions in their own behalf.

HURRICANE PREDICTION AND PREPARATION

Committee on Commerce, Science, and Transportation: Subcommittee on Disaster Prevention and Prediction concluded a hearing to examine the prediction of Hurricane Katrina and the work of the National Hurricane Center, focusing on the role in forecasting, warning the public about hurricanes, and the essential role and activities following landfall, after receiving testimony from Max Mayfield, Director, Tropical Prediction Center/National Hurricane Center, National Weather Service, National Oceanic and Atmospheric Administration, Department of Commerce; Windell Curole, South Lafourche Levee District, Gallino, Louisiana; Marc L. Levitan, Louisiana State University Hurricane Center, Baton Rouge; Keith G. Blackwell, University of South Alabama Coastal Weather Research Center, Mobile; and C. Patrick Roberts, Florida Association of Broadcasters, Tallahassee.

CLIMATE CHANGE

Committee on Energy and Natural Resources: Committee concluded a hearing to examine climate change science and economics, focusing on the current state of climate change scientific research and the economics of strategies to manage climate change, including the relationship between energy consumption and climate change, and the potential effects on the U.S. economy of climate change and strategies to control greenhouse gas emissions, after receiving testimony from Howard Gruenspecht, Deputy Administrator, Energy Information Administration, Department of Energy; Anne E. Smith, CRA International, Boston, Massachusetts; and Jason S. Grumet, National Commission on Energy Policy, and Richard D. Morgenstern, Resources for the Future, both of Washington, D.C.

LATIN AMERICA

Committee on Foreign Relations: Subcommittee on Western Hemisphere, Peace Corps and Narcotics Affairs concluded a hearing to examine the diplomatic, political, and eoconomic consequences of the emergence of China in Latin America and the Caribbean, including military-to-military contacts, and national security implications for the United States, after receiving testimony from Charles S. Shapiro, Principal Deputy Assistant Secretary, Bureau of Western Hemisphere Affairs, and Robert Forden, Deputy Director for China and Mongolian Affairs, Bureau of East Asian and Pacific Affairs, both of the Department of State; Rogelio Pardo-Maurer IV, Deputy Assistant Secretary of Defense for Western Hemisphere Affairs; and Stephen C. Johnson, The Heritage Foundation, David M. Lampton, Johns Hopkins University Paul H. Nitze School of Advanced International Studies, and Gal Luft, Institute for the Analysis of Global Security, all of Washington, D.C.

EMINENT DOMAIN

Committee on the Judiciary: Committee concluded a hearing to examine the impact of the Supreme Court's decision in Kelo v. City of New London on the use of eminent domain for economic development purposes, including a related measure S. 1313, to protect homes, small businesses, and other private property rights, by limiting the power of eminent domain, after receiving testimony from Senator Cornyn; Mayor Eddie A. Perez, Hartford, Connecticut, on behalf of the National League of Cities; Fred Jenkins, St. Luke's Pentecostal Church, North Hempstead, New York; Hilary O. Shelton, NAACP, Washington, D.C.; Thomas W. Merrill, Columbia University Law School, New York, New York; Steven J. Eagle, George Mason University School of Law, Arlington, Virginia; and Susette Kelo, New London, Connecticut.

AMERICAN LEGION

Joint Hearings: Senate Committee on Veterans' Affairs concluded a joint hearing with the House Committee on Veterans' Affairs to receive the legislative priorities of the American Legion, focusing on budgetary recommendations for the Department of Veterans Affairs for FY 2006, after receiving testimony from Thomas L. Bock, American Legion, Aurora, Colorado.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 14 public bills, H.R. 3826–3839; 1 private bill, H.R. 3840; and 7 resolutions, H.J. Res. 64–65 ; H. Con. Res. 246–248; and H. Res. 452–453 were introduced. **Page 20783**

Additional Cosponsors: **Page 20784**

Reports Filed: Reports were filed today as follows:

A Citizen's Guide on Using the Freedom of Information Act and the Privacy Act of 1974 to Request Government Records (Rept. 109–226); and H. Res. 451, providing for consideration of the bill (H.R. 250) to establish an interagency committee to coordinate Federal manufacturing research and development efforts in manufacturing, strengthen existing programs to assist manufacturing innovation and education, and expand outreach programs for small and medium-sized manufacturers (H. Rept. 109–227). **Pages 20748, 20783**

Speaker: Read a letter from the Speaker wherein he appointed Representative Marchant to act as Speaker pro tempore for today. **Page 20722**

Recess: The House recessed at 12:46 p.m. and reconvened at 2 p.m. **Page 20723**

Chaplain: The prayer was offered today by Rev. Donald J. Young, Pastor, 12th Street Baptist Church, Gadsden, Alabama. **Page 20724**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Flexibility for Displaced Workers Act: H.R. 3761, amended, to provide special rules for disaster relief employment under the Workforce Investment Act of 1998 for individuals displaced by Hurricane Katrina, by a yea-and-nay vote of 400 yeas with none voting "nay", Roll No. 476; **Pages 20727, 20747**

Extending the waiver authority of the Secretary of Education with respect to student financial assistance during a war or other military operation or national emergency: H.R. 2132, to extend the waiver authority of the Secretary of Education with respect to student financial assistance during a war or other military operation or national emergency; **Page 20730**

Higher Education Extension Act of 2005: H.R. 3784, amended, to temporarily extend the programs under the Higher Education Act of 1965; **Page 20732**

Extending through December 31, 2007, the authority of the Secretary of the Army to accept and expend funds contributed by non-Federal public entities to expedite the processing of permits: H.R. 3765, to extend through December 31, 2007, the authority of the Secretary of the Army to accept and expend funds contributed by non-Federal public entities to expedite the processing of permits; **Page 20734**

Sportfishing and Recreational Boating Safety Amendments Act of 2005: Agree to the Senate amendment to H.R. 3649, to ensure funding for sportfishing and boating safety programs funded out of the Highway Trust Fund through the end of fiscal year 2005; clearing the measure for the President; **Page 20736**

Sierra National Forest Land Exchange Act of 2005: H.R. 409, to provide for the exchange of land within the Sierra National Forest of California; **Page 20736**

Directing the Secretary of the Interior to conduct a boundary study to evaluate the significance of the Colonel James Barrett Farm in the Commonwealth of Massachusetts and the suitability and feasibility of its inclusion in the National Park System as part of the Minute Man National Historical Park: H.R. 394, amended, to direct the Secretary of the Interior to conduct a boundary study to evaluate the significance of the Colonel James Barrett Farm in the Commonwealth of Massachusetts and the suitability and feasibility of its inclusion in the National Park System as part of the Minute Man National Historical Park; **Page 20738**

Amending the Pittman-Robertson Wildlife Restoration Act to extend the date after which surplus funds in the wildlife restoration fund become available for apportionment: S. 1340, a bill to amend the Pittman-Robertson Wildlife Restoration Act to extend the date after which surplus funds in the wildlife restoration fund become available for apportionment; clearing the measure for the President; **Page 20739**

Recognizing Space Shuttle Commander Eileen Collins, Mission Specialist Wendy Lawrence, and the contributions of all other women who have worked with NASA following the successful mission of Space Shuttle "Discovery" on STS–114: H. Res. 450, amended, recognizing Space Shuttle Commander Eileen Collins, Mission Specialist Wendy Lawrence, and the contributions of all other women who have worked with NASA following the successful mission of Space Shuttle *Discovery* on STS–114; and **Page 20740**

Congratulating the National Aeronautics and Space Administration and the "Discovery" crew: H. Res. 441, to congratulate the National Aeronautics and Space Administration and the *Discovery* crew of Commander Eileen Collins, Pilot Jim Kelly, Mission Specialist Charlie Camarda, Mission Specialist Wendy Lawrence, Mission Specialist Soichi Noguchi, Mission Specialist Steve Robinson, and Mission Specialist Andy Thomas on the successful completion of their 14-day test flight to the International Space Station for the first step of the Vision for Space Exploration, begun from the Kennedy Space Center, Florida, on July 26, 2005, and completed at Edwards Air Force Base, California, on August 9, 2005. This historical mission represented a great step forward into the new beginning of the Second Space Age, by a yea-and-nay vote of 401 yeas with none voting "nay", Roll No. 477. **Pages 20743, 20748**

Agreed to amend the title so as to read "to congratulate the National Aeronautics and Space Administration and the *Discovery* crew of Commander Eileen Collins, Pilot Jim Kelly, Mission Specialist Charlie Camarda, Mission Specialist Wendy Lawrence, Mission Specialist Soichi Noguchi, Mission Specialist Steve Robinson, and Mission Specialist Andy Thomas on the successful completion of their 14-day test flight to the International Space Station for the first step of the Vision for Space Exploration, begun from the Kennedy Space Center, Florida, on July 26, 2005, and completed at Edwards Air Force Base, California, on August 9, 2005, which historical mission represented a great step forward into the new beginning of the Second Space Age". **Page 20748**

Recess: The House recessed at 4:29 p.m. and reconvened at 6:30 p.m. **Page 20747**

Senate Message: Message received from the Senate today appears on page 20724.

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of the House today and appear on pages 20747–48. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 11:58 p.m.

Committee Meetings

RESOLUTION—DIRECTING DEFENSE SECRETARY TO TRANSIT TO THE HOUSE DOCUMENTS RELATING TO DISCLOSURE OF THE IDENTITY OF VALERIE PLAME

Committee on Armed Services: Ordered adversely reported H. Res. 417, Directing the Secretary of Defense to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resolution documents in the possession of the Secretary of Defense relating to the disclosure of the identity and employment of Ms. Valerie Plame.

MICROENTERPRISE RESULTS AND ACCOUNTABILITY ACT IMPLEMENTATION

Committee on International Relations: Subcommittee on Africa, Global Human Rights and International Operations held a hearing entitled "Implementing the Microenterprise Results and Accountability Act of 2004." Testimony was heard from James T. Smith, Acting Assistant Administrator, U.S. Agency for International Development, Department of State; and public witnesses.

MANUFACTURING TECHNOLOGY COMPETITIVENESS ACT OF 2005

Committee on Rules: granted, by voice vote, a structured rule providing 1 hour of general debate on H.R. 250, to establish an interagency committee to coordinate Federal manufacturing research and development efforts in manufacturing, strengthen existing programs to assist manufacturing innovation and education, and expand outreach programs for small and medium-sized manufacturers, and for other purposes, equally divided and controlled by the chairman and ranking minority member of the Committee on Science. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Science now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the committee amendment in the nature of a substitute. The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. The rule provides that the amendments printed in the report may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions.

SCHOOL READINESS ACT OF 2005

Committee on Rules: Testimony was heard from Chairman Boehner and Representatives Castle, Souder, Musgrave, Boustany, Davis of Illinois, McCollum, Van Hollen, Waters and Jones of Ohio, but action was deferred on H.R. 2123, School Readiness Act of 2005.

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Wednesday, September 21, 2005

Senate

Chamber Action

Routine Proceedings, pages 20891–20974

Measures Introduced: Twelve bills and two resolutions were introduced, as follows: S. 1738–1749, and S. Res. 245–246. **Page 20940**

Measures Reported:

S. 1234, to increase, effective as of December 1, 2005, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans. (S. Rept. No. 109–138)

S. 1235, to amend chapters 19 and 37 of title 38, United States Code, to extend the availability of $400,000 in coverage under the servicemembers' life insurance and veterans' group life insurance programs, with an amendment in the nature of a substitute. (S. Rept. No. 109–139) **Page 20940**

Measures Passed:

Recognizing Simon Wiesenthal: Senate agreed to S. Res. 245, recognizing the life and accomplishments of Simon Wiesenthal. **Page 20898**

Iran Nonproliferation Amendments Act: Committee on Foreign Relations was discharged from further consideration of S. 1713, to make amendments to the Iran Nonproliferation Act of 2000 related to International Space Station payments, and the bill was then passed. **Page 20901**

Statue of Po'Pay in Statuary Hall: Senate agreed to H. Con. Res. 242, providing for acceptance of a statue of Po'Pay, presented by the State of New Mexico, for placement in National Statuary Hall. **Page 20966**

Flexibility for Displaced Workers Act: Senate passed H.R. 3761, to provide special rules for disaster relief employment under the Workforce Investment Act of 1998 for individuals displaced by Hurricane Katrina, clearing the measure for the President. **Page 20967**

Coast Guard Hurricane Response: Senate agreed to S. Res. 246, to express the sense of the Senate regarding the missions and performance of the United States Coast Guard in responding to Hurricane Katrina. **Page 20973**

Agriculture Appropriations: Senate continued consideration of H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, taking action on the following amendments proposed thereto: **Page 20908**

Adopted:

Bennett Amendment No. 1783, to permit the National Dairy Promotion and Research Board to obligate and expend funds for any activity to improve the environment and public health. **Page 20909**

Bennett Amendment No. 1803, to amend the Immigration and Nationality Act relative to nonprofit religious organizations in the United States. **Page 20915**

Bennett Amendment No. 1804, to prohibit funds from being used unless certain certifications are made relative to manufacturers of contact lens. **Page 20915**

Bennett Amendment No. 1805, to provide that the federal facility located at the South Mississippi Branch Experiment Station in Poplarville, Mississippi shall be designated as the Thad Cochran Southern Horticultural Laboratory. **Page 20915**

Bennett (for Kyl) Amendment No. 1806, to convey title in certain real property. **Page 20915**

Bennett (for Leahy) Amendment No. 1807, to direct the Secretary of Agriculture to submit to Congress a report on whether to restore the National Organic Program. **Page 20915**

Bennett (for Feingold) Amendment No. 1808, to direct the Administrator of the Animal and Plant Health Inspection Service to publish and uniform methods and rules for addressing chronic wasting disease. **Page 20915**

Bennett (for McConnell) Amendment No. 1809, to provide for livestock assistance. **Page 20916**

Bennett (for Smith/Wyden) Amendment No. 1786, to allow the Secretary to authorize the use of certain funds that would otherwise be recaptured under the rural business enterprise grant program. **Page 20916**

Bennett (for McCain) Amendment No. 1785, to express the sense of the Senate regarding funding directives contained in H.R. 2744 or its accompanying report. **Page 20917**

Bennett (for Baucus) Amendment No. 1800, to express the sense of the Senate regarding public sector funding of agricultural research and development. **Page 20916**

Bennett (for DeWine) Amendment No. 1741, to pledge continued support for international hunger relief efforts and express the sense of the Senate that the United States Government should use resources and diplomatic leverage to secure food aid for countries that are in need of further assistance to prevent acute and chronic hunger. **Page 20917**

Bennett (for Reid) Amendment No. 1812, to provide that funds made available for the Plant Materials Center in Fallon, Nevada, shall remain available until expended. **Page 20918**

Bennett (for Salazar) Amendment No. 1754, to provide for a report on the impact of increased prices of gas, natural gas, and diesel on agricultural producers, ranchers, and rural communities. **Page 20921**

Bennett (for Salazar) Amendment No. 1755, to require the Secretary of Agriculture to prepare a report on the conduct of activities to address bark beetle infestations. **Page 20921**

By 55 yeas to 39 nays (Vote No. 238), Coburn Amendment No. 1775, to require that any limitation, directive, or earmarking contained in either the House of Representatives or Senate report accompanying this bill be included in the conference report or joint statement accompanying the bill in order to be considered as having been approved by both Houses of Congress. **Page 20928**

By 66 yeas to 29 nays (Vote No. 239), Bingaman/Lugar Amendment No. 1797, to increase funds to implement and administer Team Nutrition programs, with an offset. **Pages 20926, 20929**

Harkin Amendment 1835, to limit the use of certain funds. **Page 20929**

Kohl (for Dodd) Amendment No. 1818, to require the Food and Drug Administration to issue a monograph with respect to over-the-counter sunscreen. **Page 20931**

Kohl (for Dodd) Amendment No. 1849 (to Amendment No. 1818), in the nature of a substitute. **Page 20931**

Rejected:

Coburn Amendment No. 1773, to reduce spending levels, to promote more efficient use of resources, and to encourage more appropriate budget estimates. **Pages 20923, 20926**

Pending:

Dayton Modified Amendment No. 1844, to condition the use of funds for carrying out a provision relating to prevented planting payments, with an offset. **Page 20922**

Bingaman (for Jeffords) Amendment No. 1796, to provide funds to carry out the historic barn preservation program, with an offset. **Page 20925**

During consideration of this measure today, Senate also took the following action:

Bennett Amendment No. 1752, to establish a demonstration intermediate relending program for the construction and rehabilitation of housing for the Mississippi Band of Choctaw Nation, previously agreed to on Tuesday, September 20, 2005, was modified by unanimous consent. **Page 20915**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m. on Thursday, September 22, 2005; with a vote to occur on or in relation to Dayton Amendment No. 1844 (listed above), followed by a vote on or in relation to Bingaman (for Jeffords) Amendment No. 1796 (listed above), with no amendments in order to these amendments prior to the vote; followed by a vote on passage of the bill; provided further, the Senate insist on its amendment, request a conference with the House thereon, and the Chair then be authorized to appoint conferees on the part of the Senate. **Page 20974**

Hurricane Katrina Tax Relief Act: Senate concurred in the amendment of the House to the amendment of the Senate to H.R. 3768, to provide emergency tax relief for persons affected by Hurricane Katrina, clearing the measure for the President. **Page 20967**

Appointments:

United States Commission on Civil Rights: The Chair, on behalf of the President pro tempore and upon the recommendation of the Democratic Leader, pursuant to Public Law 98–183, as amended by Public Law 103–419, appointed Arlan D. Melendez, of Nevada, to the United States Commission on Civil Rights. **Page 20966**

Messages from the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report on the continuation of the national emergency with respect to persons who commit, threaten to commit, or support terrorism that was declared by Executive Order 13224; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–23) **Page 20938**

Messages From the House: **Page 20938**

Measures Referred: **Page 20939**

Measures Placed on Calendar: **Page 20939**

Measures Read First Time: Page 20939

Executive Communications: Page 20939

Additional Cosponsors: Page 20941

Statements on Introduced Bills/Resolutions: Page 20942

Additional Statements: Page 20937

Amendments Submitted: Page 20954

Notices of Hearings/Meetings: Page 20966

Authority for Committees to Meet: Page 20966

Privilege of the Floor: Page 20966

Record Votes: Two record votes were taken today. (Total—239) Pages 20928, 20929

Adjournment: Senate convened at 9:30 a.m., and adjourned at 8:36 p.m., until 9:30 a.m., on Thursday, September 22, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 20974.)

Committee Meetings

WTO AGRICULTURE NEGOTIATIONS

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine the status of the World Trade Organization negotiations on agriculture, focusing on the Doha Round Development Agenda, and the links between agricultural policy and trade policy, after receiving testimony from Mike Johanns, Secretary of Agriculture; Robert Portman, United States Trade Representative; Audrae Erickson, Corn Refiners Association, on behalf of AgTrade, Leondard W. Condon, Altria Corporate Services, Inc., on behalf of the Grocery Manufacturers Association, and Mark Viso, World Vision United States, all of Washington, D.C.; and Allen Helms, National Cotton Council, Clarkedale, Arkansas.

ENERGY PRICING

Committee on Commerce, Science, and Transportation: Committee concluded hearings to examine the rise of domestic energy prices, focusing on what actions can be taken to profitably lower U.S. oil consumption, after receiving testimony from John Seesel, Associate General Counsel for Energy, Federal Trade Commission; Jim Wells, Director, Energy, Resources, and Science Issues, Government Accountability Office; Guy Caruso, Administrator, Energy Information Administration, Department of Energy; Robin West, PFC Energy Team, Odd-Even Bustnes, Rocky Mountain Institute, Robert Slaughter, National Petrochemical and Refiners Association, and Tyson Slocum, Public Citizen, all of Washington, D.C.; and Ronald W. Kosh, American Automobile Association-Mid Atlantic, Wilmington, Delaware.

ENDANGERED SPECIES ACT

Committee on Environment and Public Works: Subcommittee on Fisheries, Wildlife, and Water concluded a hearing to examine the Endangered Species Act and the role of States, Tribes and local governments, focusing on areas where the law may be strengthened or new programs created to encourage species recovery at all levels of government, after receiving testimony from Colorado State Representative Cory Gardner, Denver; Billy Frank, Jr., Northwest Indian Fisheries Commission, Olympia, Washington; Michael A. Pasteris, Forest Preserve District of Will County, Joliet, Illinois, on behalf of the National Association of Counties; John Baughman, International Association of Fish and Wildlife Agencies, Washington, D.C.; Bill Burnham, The Peregrine Fund, Boise, Idaho; Robert P. Davison, Wildlife Management Institute, Corvallis, Oregon; and Dwayne Shaw, Downeast Salmon Federation/Downeast Rivers Land Trust, Columbia Falls, Maine.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Thomas A. Shannon, Jr., of Virginia, to be an Assistant Secretary of State for Western Hemisphere Affairs, Charles A. Ford, of Virginia, to be Ambassador to the Republic of Honduras, Mark Langdale, of Texas, to be Ambassador to the Republic of Costa Rica, and Brenda LaGrange Johnson, of New York, to be Ambassador to Jamaica, who was introduced by Senators McCain and Collins, after the nominees testified and answered questions in their own behalf.

TRANSIT SYSTEM SAFETY

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the lessons that have been learned to secure United States transit systems relating to the London terrorist attacks, focusing on the Washington Metropolitan Area Transit Authority (WMATA) operating the Washington areas subway system, increasing public awareness and security, and training the transit workforce and first-responders, after receiving testimony from Edmund S. Hawley, Assistant Secretary of Homeland Security, Transportation Security Administration; Polly L. Hanson, Chief, Metro Transit Police Department, Washington Metropolitan Area Transit Authority; Michael Brown, London Underground, London, England; and Rafi Ron, New Age Security Solutions, McLean, Virginia.

REGULATION OF CLASS III GAMING

Committee on Indian Affairs: Committee held an oversight hearing to examine Indian gaming, focusing on a decision issued by the Washington, D.C. District Court relative to the National Indian Gaming Commission's Minimum Internal Control Standards regulations as applied to Class III gaming, and tribal government efforts to regulate gaming, receiving testimony from Philip N. Hogen, Chairman, National Indian Gaming Commission; Mark Van Norman, National Indian Gaming Association, Washington, D.C.; and Kevin K. Washburn, University of Minnesota Law School, Minneapolis.

Hearing recessed subject to the call.

INTELLIGENCE INFORMATION SHARING

Committee on the Judiciary: Committee held a hearing to examine the operations of Able Danger, a small highly-classified United States Army intelligence unit that searched for al Qaeda terrorists, and the status of intelligence information sharing between the Federal Bureau of Investigation and the Department of Defense, receiving testimony from Representative Curt Weldon; William R. Dugan, Jr., Acting Assistant to the Secretary of Defense for Intelligence Oversight; Gary M. Bald, Executive Assistant Director, National Security Branch, Federal Bureau of Investigation, Department of Justice; Mark S. Zaid, Krieger and Zaid, PLLC, Washington, D.C.; and Erik Kleinsmith, Lockheed Martin, Newington, Virginia, former Major, USA, Chief of Intelligence, Land Information Warfare Activity.

Hearing recessed subject to the call.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 15 public bills, H.R. 3841–3855; 1 private bill, H.R. 3856; and 5 resolutions, H.J. Res. 66–67; and H. Res. 454, 456–457 were introduced. **Page 20888**

Additional Cosponsors: **Page 20889**

Reports Filed: Reports were filed today as follows:

H. Res. 418, to request the President to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resolution documents in the possession of the President relating to the disclosure of the identity and employment of Ms. Valerie Plame, adversely (Rept. 109–228); and H. Res. 455. to provide for consideration of the bill (H.R. 2123) to reauthorize the Head Start Act to improve the school readiness of disadvantaged children (Rept. 109–229). **Page 20887**

Speaker: Read a letter from the Speaker wherein he appointed Representative Miller of Michigan to act as speaker pro tempore for today. **Page 20802**

Chaplain: The prayer was offered today by Monsignor Kenneth Velo, Office of Catholic Collaboration, DePaul University, Chicago, Illinois. **Page 20802**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Providing for acceptance of a statue of Po'Pay, presented by the State of New Mexico, for placement in National Statuary Hall: H. Con. Res. 242, to provide for acceptance of a statue of Po'Pay, presented by the State of New Mexico, for placement in National Statuary Hall; **Page 20806**

United States Parole Commission Extension and Sentencing Commission Authority Act of 2005: S. 1368, to extend the existence of the Parole Commission—clearing the measure for the President; **Page 20808**

Immigration Relief for Hurricane Katrina Victims Act of 2005: H.R. 3827, to preserve certain immigration benefits for victims of Hurricane Katrina; **Page 20809**

Karl Malden Station Post Office Designation Act: H.R. 3667, to designate the facility of the United States Postal Service located at 200 South Barrington Street in Los Angeles, California, as the "Karl Malden Station"; **Page 20813**

Jacob L. Frazier Post Office Designation Act: H.R. 3767, to designate the facility of the United States Postal Service located at 2600 Oak Street in St. Charles, Illinois, as the "Jacob L. Frazier Post Office Building"; **Page 20814**

Congratulating the West Oahu Little League Baseball team for winning the 2005 Little League Baseball World Series: H. Res. 429, to congratulate the West Oahu Little League Baseball team for winning the 2005 Little League Baseball World Series; **Page 20815**

Supporting the goals and ideals of Gold Star Mothers Day: H.J. Res. 61, to support the goals and ideals of Gold Star Mothers Day, by a yea-and-nay vote of 419 yeas with none voting "nay", Roll No. 479; and **Pages 20817, 20836**

Providing for the concurrence by the House with an amendment of the Senate to H.R. 3768: H. Res. 454, to provide for the concurrence by the House with an amendment of the Senate to H.R. 3768, by a yea-and-nay vote of 422 yeas with none voting "nay", Roll No. 480. **Pages 20828, 20836**

Katrina Emergency Tax Relief Act of 2005: Pursuant to the provisions of H. Res. 454, the House agreed to the Senate amendment to H.R. 3768 with a further amendment. **Page 20828**

Recess: The House recessed at 1:03 p.m. and reconvened at 1:30 p.m. **Page 20835**

Manufacturing Technology Competitiveness Act of 2005: The House passed H.R. 250, to establish an interagency committee to coordinate Federal manufacturing research and development efforts in manufacturing, strengthen existing programs to assist manufacturing innovation and education, and expand outreach programs for small and medium-sized manufacturers, by a yea-and-nay vote of 394 yeas to 24 nays, Roll No. 485. **Page 20837**

Rejected the Honda motion to recommit the bill to the Committee on Science with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 196 ayes to 226 noes, Roll No. 484. **Page 20854**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Science now printed in the bill is considered as an original bill for the purpose of amendment and shall be considered as read. **Page 20854**

Agreed to:

Boehlert Manager's amendment (no. 1 printed in H. Rept 109–227) that requires the Manufacturing Extension Partnership program to assist businesses affected by Hurricane Katrina, and requires the National Institute of Standards and Technology to study the effects of Katrina on buildings to determine whether to recommend any changes in the building codes; **Page 20845**

Gordon amendment (no. 2 printed in H. Rept 109–227) that requires the Director of the National Institute of Standards and Technology (NIST) to provide to the House Science Committee and the Senate Committee on Commerce, Science, and Transportation a 3-year programmatic and operational plan for the MEP. It requires the plan to include comments of the MEP National Advisory Board and of the State partners; and **Page 20846**

Jackson-Lee of Texas amendment (no. 3 printed in H. Rept. 109–227) which make funds under the section entitled "Scientific and Technical Research and Services" available to the maximum extent practicable, to diverse institutions, including Historically Black Colleges and Universities and other minority serving institutions for Technical Workforce Education and Development, by a recorded vote 416 ayes to 8 noes, Roll No. 481. **Pages 20847, 20852**

Rejected:

Larson of Connecticut amendment (no. 4 printed in H. Rept. 109–227) which sought to re-orient the current Technology Administration (TA), the Undersecretary of Technology, and Office of Technology Policy (OTP) towards manufacturing and competitiveness issues. Also requires the Manufacturing Administration to conduct broad-based manufacturing and technology policy analysis; and to coordinate with States, local governments, and universities on manufacturing and technology activities, by a recorded vote of 210 ayes to 213 noes, Roll No. 482; and **Pages 20848, 20852**

Udall of Colorado amendment (no. 5 printed in H. Rept. 109–227) that sought to increase the authorization levels of NSF's Advanced Technological Education Program for FY06, FY07, and for FY08, by a recorded vote of 210 ayes to 212 noes, Roll No. 483. **Pages 20850, 20853**

Pursuant to the rule, the amendment in the nature of a substitute printed in H. Rept. 109–227, was adopted. **Page 20854**

H. Res. 451, the rule providing for consideration of the bill was agreed to by a yea-and-nay vote of 222 yeas to 198 nays, Roll No. 478, after agreeing to order the previous question by voice vote. **Page 20820**

Presidential Message: Read a message from the President wherein he notified Congress of the continuation of the national emergency with respect to the terrorist attacks on the United States of September 11, 2001—referred to the Committee on International Relations and ordered printed (H. Doc. 109–57). **Page 20856**

Quorum Calls—Votes: 4 yea-and-nay votes and 4 recorded votes developed during the proceedings of today and appear on pages 20835–37 and 20852–56. There were no quorum calls.

Adjournment: The house met at 10 a.m. and adjourned at 9:26 p.m.

Committee Meetings

THREATS IN LATIN AMERICA

Committee on Armed Services: Threat Panel held a hearing on threats in Latin America. Testimony was heard from public witnesses.

VETERANS AFFAIRS/LABOR DEPARTMENTS' COST ACCOUNTING

Committee on Government Reform: Subcommittee on Government Management, Finance, and Accountability held a hearing entitled "Implementing Cost Accounting at the Department of Veterans Affairs and the Department of Labor." Testimony was heard from Samuel Mok, Chief Financial Officer, Department of Labor; Tim S. McClain, General Counsel and Acting Chief Management Officer, Department of Veterans Affairs; and Robert Martin, Director, Financial Management and Assurance, GAO.

U.S.-SOUTHEAST ASIA POLICY

Committee on International Relations: Subcommittee on Asia and the Pacific held a hearing entitled "The United States and Southeast Asia: Developments, Trends, and Policy Choices." Testimony was heard from Eric John, Deputy Assistant Secretary, Bureau of East Asian and Pacific Affairs, Department of State.

MIDDLE EAST PEACE PROCESS

Committee on International Relations: Subcommittee on Middle East and Central Asia held a hearing entitled "The Middle East Peace Process and U.S. Strategic Priorities Post-Disengagement." Testimony was heard from C.

David Welch, Assistant Secretary, Bureau of Near Eastern Affairs, Department of State; LTG William E. Ward, USA, Deputy Commander, U.S. Army Europe, U.S. Coordinator for Security to the Palestinians.

THREATENED AND ENDANGERED SPECIES RECOVERY ACT OF 2005

Committee on Resources: Held a hearing on H.R. 3824, Threatened and Endangered Species Recovery Act of 2005. Testimony was heard from Craig Manson, Assistant Secretary, Fish, Wildlife and Parks, Department of the Interior; and public witnesses.

SCHOOL READINESS ACT OF 2005

Committee on Rules: Granted, by voice vote, a structured rule providing 1 hour of general debate on H.R. 2123, School Readiness Act of 2005, equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. The rule provides that the amendments printed in the report may be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions.

TAX CODE REFORM—TO ASSIST SMALL BUSINESSES

Committee on Small Business: Held a hearing entitled "Reforming the Tax Code to Assist Small Businesses." Testimony was heard from Representative Fortenberry; Thomas Sullivan, Chief Counsel, Office of Advocacy, SBA; and public witnesses.

OVERSIGHT—AMTRAK REFORM PROPOSALS

Committee on Transportation and Infrastructure: Subcommittee on Railroads held an oversight hearing on Amtrak Reform Proposals. Testimony was heard from the following officials of the Department of Transportation: Jeffrey Rosen, General Counsel; and Kenneth M. Mead, Inspector General; David M. Laney, Chairman, Board of Directors, AMTRAK; and public witnesses.

GLOBAL MISSILE THREATS

Permanent Select Committee on Intelligence: Subcommittee on Technical and Tactical Intelligence, and the Subcommittee on Terrorism, Human Intelligence, Analysis and Counterintelligence met in executive session to hold a joint hearing on Global Missile Threats. Testimony was heard from departmental witnesses.

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Thursday, September 22, 2005

Senate

Chamber Action

Routine Proceedings, pages 20992–21060

Measures Introduced: Seventeen bills and four resolutions were introduced, as follows: S. 1750–1766, and S. Res. 247–250. **Page 21044**

Measures Passed:

Agriculture Appropriations: By 97 yeas to 2 nays (Vote No. 241), Senate passed H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2006, after taking action on the following amendments proposed thereto: **Page 20992**

Rejected:

By 47 yeas to 52 nays (Vote No. 240), Dayton Modified Amendment No. 1844, to condition the use of funds for carrying out a provision relating to prevented planting payments, with an offset. **Page 20992**

Withdrawn:

Bingaman (for Jeffords) Amendment No. 1796, to provide funds to carry out the historic barn preservation program, with an offset. **Page 20992**

A unanimous-consent request was granted permitting Senator Stevens to change his nay vote to a yea vote on Vote No. 237 changing the outcome of the vote to 69 yeas to 28 nays relative to Ensign Amendment No. 1753, as modified (adopted on September 20, 2005). **Page 20997**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Bennett, Cochran, Specter, Bond, McConnell, Burns, Craig, Brownback, Stevens, Kohl, Harkin, Dorgan, Feinstein, Durbin, Johnson, Landrieu, and Byrd. **Page 20997**

Military Construction/Veterans Affairs Appropriations: By a unanimous vote of 98 yeas (Vote No. 243), Senate passed H.R. 2528, making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2006, agreeing to the committee amendment in the nature of a substitute, which will be considered as original text for the purpose of further amendment, after taking action on the following amendments proposed thereto: **Page 21000**

Adopted:

Hutchison (for Coburn) Amendment No. 1858, to require that any limitation, directive, or earmarking contained in either the House of Representatives or Senate report accompanying this bill be included in the conference report or joint statement accompanying the bill in order to be considered as having been approved by both Houses of Congress. **Page 21018**

Hutchison (for Carper) Amendment No. 1859, to provide that, of the amount made available by title I for military construction for the Air National Guard and available for planning and design, $1,440,000 shall be made available for planning and design for a replacement C–130 maintenance hangar at Air National Guard New Castle County Airport, Delaware. **Page 21019**

Hutchison (for Boxer) Amendment No. 1860, to require a report on housing assistance to low-income veterans. **Page 21019**

Hutchison (for Chambliss/Isakson) Amendment No. 1861, to provide that, of the amount appropriated by this title under the heading "Military Construction, Army", $4,550,000 shall be made available for the construction of a military police complex at Fort Gordon, Georgia, and to provide an offset. **Page 21019**

Hutchison (for Feinstein) Amendment No. 1862, to increase by $25,000,000 the amount made available by title I for the Department of Defense Base Closure Account 1990, and to provide an offset. **Page 21019**

Hutchison (for Feingold/Salazar) Amendment No. 1863, to require the Secretary of Veterans Affairs to report to Congress on a plan to provide veterans benefits handbooks to all county veterans service officers. **Page 21020**

Hutchison (for Durbin/Murray) Amendment No. 1864, to place conditions on the use of appropriated funds for reviewing or revoking approved disability claims for post-traumatic stress disorder and to prohibit the Secretary of Veterans Affairs from using Federal funds for certain investigations until after the submission of a detailed implementation plan to the Committee on Appropriations. **Page 21020**

Hutchison (for Durbin) Amendment No. 1865, to instruct the Department of Veterans Affairs to conduct a veterans disability compensation information campaign. **Page 21020**

Hutchison (for Jeffords) Amendment No. 1866, to provide clinical training and protocols to meet the mental health care needs of servicemembers and veterans. **Page 21020**

Hutchison (for Salazar) Amendment No. 1867, to require a report on any Department of Veterans Affairs budget shortfall totaling 2 percent or more of the Department's total discretionary funding budget for a fiscal year. **Page 21022**

Craig (for Salazar) Amendment No. 1868, to assist rural veterans. **Page 21022**

Rejected:

By 48 yeas to 50 nays (Vote No. 242), Akaka Amendment No. 1852, to provide an additional $10,000,000 for the Readjustment Counseling Service, with a corresponding offset from the HealtheVet account. **Pages 21017, 21025**

Senate insisted on its amendments, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Hutchison, Burns, Craig, DeWine, Brownback, Allard, McConnell, Cochran, Feinstein, Inouye, Johnson, Landrieu, Byrd, Murray and Leahy. **Page 21026**

A unanimous-consent agreement was reached providing that, notwithstanding the earlier passage of the bill, the following amendments be agreed to:

Frist (for Hutchison) Amendment No. 1870, to provide funds for Phase 1a of a Permanent Party Barracks at Fort Leonard Wood, Missouri and for an Airfield Fire Station at Fort Sill, Oklahoma. **Page 21058**

Frist (for Hutchison) Amendment No. 1871, to make funds available for a B–2 Conventional Munitions Storage Facility at Whiteman Air Force Base, Missouri and for Phase 1 of Force Protection Enhancement at Vance Air Force Base, Oklahoma. **Page 21058**

Children Displaced by Hurricane Katrina: Senate passed S. 1764, to provide for the continued education of students affected by Hurricane Katrina. **Page 21055**

Indian Financing Act Amendment: Senate passed S. 1758, to amend the Indian Financing Act of 1974, to provide for sale and assignment of loans and underlying security. **Page 21056**

Commending James Madison Council: Senate agreed to S. Res. 247, commending the Library of Congress's private-sector advisory body, the James Madison Council, and its Founding Chairman, John W. Kluge on 15 years of exemplary service to Congress and the Nation and looking forward to the Council's continued success in the years ahead. **Page 21056**

Commemorating West Oahu Little League Team: Senate agreed to S. Res. 248, commemorating the West Oahu Little League Team for winning the 2005 Little League World Series. **Page 21057**

Commemorating Oahu All-Stars: Senate agreed to S. Res. 249, commemorating the Oahu All-Stars for winning the 2005 Cal Ripken World Series and the Hawaii Warriors for winning the 2005 Continental Amateur Baseball Association World Series (ages 9–under). **Page 21058**

Supporting Gold Star Mothers Day: Senate agreed to S. Res. 250, supporting the goals and ideals of Gold Star Mothers Day. **Page 21058**

Infant Mortality Awareness Month: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of S. Res. 239, supporting the goals and ideals of Infant Mortality Awareness Month, and the resolution was then agreed to. **Page 21058**

Grain Standards Act Authorization: Senate passed S. 1752, to amend the United States Grain Standards Act to reauthorize that Act. **Page 21059**

Roberts Nomination—Agreement: A unanimous-consent-time agreement was reached providing that at 1 p.m., on Monday, September 26, 2005, Senate begin consideration of the nomination of John G. Roberts, Jr., of Maryland, to be Chief Justice of the United States. **Page 21059**

Nominations Confirmed: Senate confirmed the following nomination:

Robert B. Holland III, of Texas, to be United States Executive Director of the International Bank for Reconstruction and Development for a term of two years. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.) **Pages 21055, 21060**

Nominations Received: Senate received the following nominations:

Dorrance Smith, of Virginia, to be an Assistant Secretary of Defense.

Katherine Baicker, of New Hampshire, to be a Member of the Council of Economic Advisers.

Matthew Slaughter, of New Hampshire, to be a Member of the Council of Economic Advisers.

Benson K. Whitney, of Minnesota, to be Ambassador to Norway.

David M. Hale, of New Jersey, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador to the Hashemite Kingdom of Jordan.

John O. Agwunobi, of Florida, to be Medical Director in the Regular Corps of the Public Health Service, subject to the qualifications therefor as provided by law and regulations.

1 Air Force nomination in the rank of general.

1 Army nomination in the rank of general. **Page 21060**

Messages From the House: **Page 21039**

Measures Referred: **Page 21040**

Measures Placed on Calendar: **Page 21040**

Measures Read First Time: **Page 21040**

Enrolled Bills Presented: **Page 21040**

Executive Communications: **Page 21040**

Executive Reports of Committees: **Page 21044**

Additional Cosponsors: **Page 21045**

Statements on Introduced Bills/Resolutions: **Page 21046**

Additional Statements: **Page 21039**

Amendments Submitted: **Page 21050**

Notices of Hearings/Meetings: **Page 21053**

Authority for Committees to Meet: **Page 21053**

Privilege of the Floor: **Page 21055**

Record Votes: Four record votes were taken today. (Total—243) **Pages 20992, 20997, 21026**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 7:28 p.m., until 1 p.m., on Monday, September 26, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 21060.)

Committee Meetings

IDENTITY THEFT

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the financial services industry's responsibilities and role in preventing identity theft and protecting sensitive financial information, after receiving testimony from Senator Pryor; Stuart K. Pratt, Consumer Data Industry Association, Edmund Mierzwinski, U.S. Public Interest Research Group, Ira D. Hammerman, Securities Industry Association, Gilbert T. Schwartz, Schwartz and Ballen LLP, on behalf of the American Council of Life Insurers, and Oliver I. Ireland, Morrison and Foerster, on behalf of the American Bankers Association, all of Washington, D.C.

COMMUNICATIONS IN DISASTER

Committee on Commerce, Science, and Transportation: Committee held a hearing to examine the protection of critical communications infrastructure during a disaster, focusing on the impact on communications services in the area effected by Hurricane Katrina, a status report on the extent to which services have been restored, and steps the Federal Communications Commission has taken to facilitate the restoration of service and to provide support for evacuees, receiving testimony from Kevin J. Martin, Chairman, Federal Communications Commission; William L. Smith, BellSouth, and Paul Roth, Cingular Wireless, both of Atlanta, Georgia; Jeffrey A. Citron, Vonage Holdings Corporation, Edison, New Jersey; and Hossein Eslambolchi, AT&T Global Networking Technology Services and AT&T Labs, Bedminster, New Jersey.

Hearings will continue on Thursday, September 29.

LAND BILLS

Committee on Energy and Natural Resources: Subcommittee on National Parks concluded a hearing to examine S. 435, to amend the Wild and Scenic Rivers Act to designate a segment of the Farmington River and Salmon Brook in the State of Connecticut for study for potential addition to the National Wild and Scenic Rivers System,

S. 1096, to amend the Wild and Scenic Rivers Act to designate portions of the Musconetcong River in the State of New Jersey as a component of the National Wild and Scenic Rivers System, S. 1310, to authorize the Secretary of the Interior to allow the Columbia Gas Transmission Corporation to increase the diameter of a natural gas pipeline located in the Delaware Water Gap National Recreation Area, S. 1378, to amend the National Historic Preservation Act to provide appropriation authorization and improve the operations of the Advisory Council on Historic Preservation, and S. 1627, to authorize the Secretary of the Interior to conduct a special resources study to evaluate resources along the coastal region of the State of Delaware and to determine the suitability and feasibility of establishing a unit of the National Park System in Delaware, after receiving testimony from Senator Dodd and Carper; Janet Snyder Matthews, Associate Director for Cultural Resources, National Park Service, Department of the Interior; Timothy Slavin, State of Delaware Historical and Cultural Affairs, Dover; Eric Hammerling, Farmington River Watershed Association, Inc., Simsbury, Connecticut; Beth Anne Styler Barry, Musconetcong Watershed Association, Asbury, New Jersey; Michael W. Roberts, Columbia Gas Transmission Corporation, Chester Springs, Pennsylvania; and John Fowler, Advisory Council on Historic Preservation, Washington, D.C.

NOMINATIONS

Committee on Environment and Public Works: Committee concluded a hearing to examine the nominations of Santanu K. Baruah, of Oregon, to be Assistant Secretary of Commerce for Economic Development, who was introduced by Senator Smith; George M. Gray, of Massachusetts, to be an Assistant Administrator, and Lyons Gray, of North Carolina, to be Chief Financial Officer, who was introduced by Senator Burr, both of the Environmental Protection Agency; H. Dale Hall, of New Mexico, to be Director of the United States Fish and Wildlife Service, Department of the Interior, who was introduced by Senator Domenici; and Edward McGaffigan, Jr., of Virginia, to be a Member of the Nuclear Regulatory Commission, after the nominees testified and answered questions in their own behalf.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Alexander R. Vershbow, of the District of Columbia, to be Ambassador to the Republic of Korea, Patricia Louise Herbold, of Washington, to be Ambassador to the Republic of Singapore, who was introduced by Senators Murray and Cantwell, and William Paul McCormick, of Oregon, to be Ambassador to New Zealand, and serve concurrently as Ambassador to Samoa, who was introduced by Senators Wyden and Smith, after the nominees testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on Homeland Security and Governmental Affairs: Committee ordered favorably reported the following business items:

S. 1725, to strengthen Federal leadership, provide grants, enhance outreach and guidance, and provide other support to State and local officials to enhance emergency communications capabilities, to achieve communications interoperability, to foster improved regional collaboration and coordination, to promote more efficient utilization of funding devoted to public safety communications, to promote research and development by both the public and private sectors for first responder communications, with amendments;

An original bill to provide relief for the victims of Hurricane Katrina;

S. 1738, to expand the responsibilities of the Special Inspector General for Iraq Reconstruction to provide independent and objective audits and investigations relating to the Federal programs for Hurricane Katrina, with an amendment;

S. 939, to expedite payments of certain Federal emergency assistance authorized pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and to direct the Secretary of Homeland Security to exercise certain authority provided under that Act, with an amendment in the nature of a substitute;

S. 1736, to provide for the participation of employees in the judicial branch in the Federal leave transfer program for disasters and emergencies;

S. 572, to amend the Homeland Security Act of 2002 to give additional biosecurity responsibilities to the Department of Homeland Security, with an amendment in the nature of a substitute;

S. 1700, to establish an Office of the Hurricane Katrina Recovery Chief Financial Officer, with an amendment in the nature of a substitute; and

The nominations of Stewart A. Baker, of Virginia, to be an Assistant Secretary of Homeland Security, John R. Fisher, to be an Associate Judge of the District of Columbia Court of Appeals, Colleen Duffy Kiko, of Virginia, to be General Counsel of the Federal Labor Relations Authority, and Juliet JoAnn McKenna, to be an Associate Judge of the Superior Court of the District of Columbia.

MEDICARE DRUG BENEFIT

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, and International Security concluded a hearing to examine cost and payment plans for the Medicare Prescription Drug, Improvement, and Modernization Act of 2003, focusing on access to outpatient prescription drug coverage under Medicare Part D, after receiving testimony from Leslie Norwalk, Deputy Administrator, Centers for Medicare and Medicaid Services, Department of Health and Human Services; and Joseph R. Antos, American Enterprise Institute, Jagadeesh Gokhale, Cato Institute, and Marilyn Moon, American Institutes for Research, all of Washington, D.C.

DISPLACED SCHOOL CHILDREN

Committee on Health, Education, Labor, and Pensions: Subcommittee on Education and Early Childhood Development concluded a hearing to examine Federal and State efforts to meet the educational needs of students and families displaced by Hurricane Katrina, after receiving testimony from Senators Lott and Landrieu; Henry L. Johnson, Assistant Secretary of Education for Elementary and Secondary Education; Rodney R. Lafon, St. Charles Parish Public School District, Luling, Louisiana; Sister M. Michaeline Green, Louisiana Department of Education, Baton Rouge; Michael Stein Margolin Hebrew Academy, Memphis, Tennessee; Daryl Gates, Caddo Public School District, Shreveport, Louisiana.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the nomination of John G. Roberts, Jr., of Maryland, to be Chief Justice of the United States.

KATRINA VS. SMALL BUSINESS

Committee on Small Business and Entrepreneurship: Committee concluded a hearing to examine the impact of Hurricane Katrina on small businesses and the efforts of the Small Business Administration to provide relief to the victims, after receiving testimony from Hector V. Barreto, Administrator, and Herbert L. Mitchell, Associate Administrator, Office of Disaster Assistance, both of the U.S. Small Business Administration; John Rowland, Southern Hospitality Catering, on behalf of the National Federation of Independent Business, and Woodrow J. Wilson, Jr., Gulf South Animated Motion Technologies, Inc., both of New Orleans, Louisiana; Alta Baker, Safe Haven Enterprises, Jennings, Louisiana, on behalf of Women Impacting Public Policy; Mary Lynn Wilkerson, Louisiana Small Business Development Centers, Monroe; Richard Harris, Harris Homes, Ocean Springs, Mississippi; Timothy Swindall, SWR Inc., Troy, Alabama; and Michele Sutton, Fairway Ventures, Hammond, Louisiana.

NATIONAL MILITARY CEMETERIES

Committee on Veterans' Affairs: Committee concluded a hearing to examine the Department of Veterans' Affairs implementation of the capital crime prohibition statute, intended to prohibit certain capital offenders from internment or memorialization in Arlington National Cemetery, after receiving testimony from Senator Mikulski; Richard A. Wannemacher, Jr., Acting Under Secretary of Veterans Affairs for Memorial Affairs; Thurman M. Higginbotham, Deputy Superintendent, Arlington National Cemetery; Dennis M. Cullinan, Veterans of Foreign Wars of the United States, Washington, D.C., on behalf of sundry veterans' organizations; and Vernon G. Davis, Hagerstown, Maryland.

INTELLIGENCE AUTHORIZATION

Select Committee on Intelligence: Committee ordered favorably reported an original bill authorizing funds for fiscal year 2006 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 36 public bills, H.R. 3857–3892; and 3 resolutions, H. Con. Res. 249; and H. Res. 458–459 were introduced. **Page 21154**

Additional Cosponsors: **Page 21155**

Reports Filed: Reports were filed today as follows:

H.R. 513, to amend the Federal Election Campaign Act of 1971 to clarify when organizations described in section 527 of the Internal Revenue Code of 1986 must register as political committees (Rept. 109–181, Pt. 2);

H. Res. 420, to direct the Attorney General to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resolution documents in the possession of the Attorney General relating to the disclosure of the identity and employment of Ms. Valerie Plame, adversely (Rept. 109–230);

H.R. 609, to amend and extend the Higher Education Act of 1965, with an amendment (Rept. 109–231);

H.R. 2830, to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to reform the pension funding rules, with an amendment (Rept. 109–232, Pt. 1);

H.R. 3402, to authorize appropriations for the Department of Justice for fiscal years 2006 through 2009, with an amendment (Rept. 109–233); and

H. Res. 417, to direct the Secretary of Defense to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resolution documents in the possession of the Secretary of Defense relating to the disclosure of the identity and employment of Ms. Valerie Plame, adversely (Rept. 109–234). **Page 21153**

Chaplain: The prayer was offered today by Rev. Anthony Marciano, Executive Director, Charlotte Rescue Mission, Charlotte, North Carolina. **Page 21061**

Journal: Agreed to the Speaker's approval of the Journal by a yea-and-nay vote of 346 yeas to 59 nays with one voting "present", Roll No. 487. **Pages 21061, 21074**

School Readiness Act of 2005: H.R. 2123, to reauthorize the Head Start Act to improve the school readiness of disadvantaged children (by a recorded vote of 231 ayes to 184 noes, Roll No. 493). **Page 21074**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill is considered as an original bill for the purpose of amendment and shall be considered as read. **Page 21099**

Agreed to:

Castle Manager's amendment (no. 1 printed in H. Rept. 109–229) that revises the financial audit language in Section 17 to ensure that financial audit requirements for Head Start programs are consistent with those required under the Single Audit Act Amendments of 1986, and a number of technical and conforming changes; **Page 21111**

DeLauro amendment (no. 3 printed in H. Rept. 109–229) which allows Head Start centers to develop or maintain partnerships with institutions of higher education and non-profit organizations to support college students that serve as mentors and reading coaches to preschool children; **Page 21116**

Kind amendment (no. 6 printed in H. Rept. 109–229) that suspends further implementation of the National Reporting System while the National Academy of Sciences (NAS) conducts a review and provides guidance on appropriate child outcomes and assessments for young children, as authorized in H.R. 2123; **Page 21119**

Mica amendment (no. 7 printed in H. Rept. 109–229) that directs the Secretary of HHS to undergo a management reform initiative. Requires HHS to utilize an outside management consulting firm to recommend and support the implementation of internal reforms to improve the Head Start Bureau's operational effectiveness; **Page 21121**

Filner amendment (no. 8 printed in H. Rept. 109–229) which initiates a study to assess the impact of new Head Start teacher qualification and development regulations upon teacher retention; **Page 21122**

Millender-McDonald amendment (no. 9 printed in H. Rept. 109–229) which encourages Head Start grantees to reduce barriers by directing them to increase their outreach to homeless and foster children. It also encourages coordination between Head Start grantees and community service providers and homeless and foster children; **Page 21123**

Woolsey amendment (no. 11 printed in H. Rept. 109–229) that directs the Secretary of Health and Human Services to assist Head Start programs in areas affected by Hurricane Katrina. Requires the Secretary to provide additional technical assistance, guidance, and resources to Head Start agencies in affected areas, waives documentation requirements for six months, and provides the Secretary with waiver authority to exempt programs from providing their local match; **Page 21126**

Stearns amendment (no. 4 printed in H. Rept. 109–229) which includes in section 18 "Children with Disabilities," in the list of areas for training to be provided by the Secretary of Education, (by a recorded vote of 411 ayes with none voting "no", Roll No. 489); **Pages 21117, 21134**

Davis of Illinois amendment (no. 5 printed in H. Rept. 109–229) that directs the Secretary to implement an outreach program to train and recruit African-American and Latino-American men to become Head Start teachers in order to increase the provision of quality services and instructions to children with diverse backgrounds, (by a recorded vote of 401 ayes to 14 noes, Roll No. 490); and **Pages 21118, 21135**

Boehner amendment (no. 12 printed in H. Rept. 109–229) that provides hiring protections for faith-based Head Start providers, (by a recorded vote of 220 ayes to 196 noes, Roll No. 492). **Pages 21127, 21136**

Rejected:

Souder amendment (no. 2 printed in H. Rept. 109–229) that sought to restore the current joint governance structure of the Head Start program by allowing the policy councils to approve or disapprove most program planning and operation activities along with the board of directors, (by a recorded vote of 153 ayes to 266 noes, Roll No. 488); and **Pages 21113, 21133**

Musgrave amendment (no. 10 printed in H. Rept. 109–229) which sought to allow for profit providers of Head Start services to take profit from 15% administrative account, (by a recorded vote of 175 ayes to 241 noes, Roll No. 491). **Pages 21125, 21135**

The amendment in the nature of a substitute, as amended, was adopted. **Page 21137**

Agreed that the Clerk be authorized to make technical and conforming changes in the engrossment of the bill to reflect the actions of the House. **Page 21138**

H. Res. 455, the rule providing for consideration of the bill was agreed to by a yea-and-nay vote of 221 yeas to 189 nays, Roll No. 486, after agreeing to order the previous question by voice vote. **Page 21063**

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at 2 p.m. on Monday, September 26, and when the House adjourns on Monday, it adjourn to meet at 12:30 p.m. on Tuesday, September 27, 2005, for Morning Hour debate. **Page 21139**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, September 28. **Page 21139**

Senate Message: Message received from the Senate today appears on page 21061.

Quorum Calls—Votes: Two yea-and-nay votes and six recorded votes developed during the proceedings of today and appear on pages 21073–74 and 21133–37. There were no quorum calls.

Adjournment: The house met at 10 a.m. and adjourned at 6:42 p.m.

Committee Meetings

THREATS IN EURASIA

Committee on Armed Services: Threat Panel held a hearing on threats in Eurasia. Testimony was heard from public witnesses.

KATRINA/CONSUMER PROTECTION ISSUES

Committee on Energy and Commerce: Subcommittee on Commerce: Trade, and Consumer Protection held a hearing entitled "The Commerce and Consumer Protection Implications of Hurricane Katrina." Testimony was heard from John Seesel, Associate General Counsel, Energy, FTC; Keith Hall, Chief Economist, Department of Commerce; and public witnesses.

KATRINA/HEALTHCARE DELIVERY

Committee on Energy and Commerce: Subcommittee on Health and the Subcommittee on Oversight and Investigations held a joint hearing entitled "Assessing Public Health and the Delivery of Care in the Wake of Katrina." Testimony was heard from the following officials of the Department of Health and Human Services; Julie Gerberding, M.D., Director, Center for Disease Control and Prevention; and Stewart Simonson, Assistant Secretary, Office of Public Health Emergency Preparedness; and public witnesses.

FINANCIAL SERVICES REGULATORY RELIEF ACT OF 2005

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing on H.R. 3505, Financial Services Regulatory Relief Act of 2005. Testimony was heard from Mark W. Olson, member, Board of Governors, Federal Reserve System; the following officials of the Department of the Treasury: Julie L. Williams, First Senior Deputy Comptroller and Chief Counsel; and John E. Bowman, Chief Counsel, Office of Thrift Supervision; William F. Kroener, III, General Counsel, FDIC; Robert M. Fenner, General Counsel, National Credit Union Administration; and public witnesses.

NUCLEAR MATERIALS MOVEMENT

Committee on Homeland Security: Subcommittee on Prevention of Nuclear and Biological Attack held a hearing entitled "Trends in Illicit Movement of Nuclear Materials." Testimony was heard from public witnesses.

INTERNET—POLITICAL SPEECH—SHOULD IT BE REGULATED

Committee on House Administration: Held a hearing entitled "Political Speech on the Internet: Should it be Regulated?" Testimony was heard from the following officials of the FEC: Scott Thomas, Chairman; Michael Toner, Vice Chairman; and Ellen Weintraub, Commissioner; the following former officials of the FEC: Bradley A. Smith, Chairman; and Karl Sandstrom, Commissioner; and public witnesses.

U.S.-AFGHANISTAN POLICY

Committee on International Relations: Held a hearing entitled "United States Policy in Afghanistan: Establishing Democratic Governance and Security in the Wake of Parliamentary Elections." Testimony was heard from the following officials of the Department of State: Maureen E. Quinn, Coordinator for Afghanistan, Bureau of South Asian Affairs; and Nancy J. Powell, Acting Assistant Secretary, Bureau for International Narcotics and Law Enforcement Affairs; and Peter Rodman, Assistant Secretary, International Security Affairs, Department of Defense.

KELO DECISION/PRIVATE PROPERTY

Committee on the Judiciary: Subcommittee on the Constitution held an oversight hearing entitled "The Supreme Court's *Kelo* Decision and Potential Congressional Responses." Testimony was heard from Bart Peterson, Mayor, City of Indianapolis, Indiana; and public witnesses.

UNIVERSITY CAMPUSES—REDUCING PEER-TO-PEER PIRACY

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property held an oversight hearing entitled "Reducing Peer-To-Peer Piracy (P2P) on University Campuses: A Progress Update." Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Ordered reported the following bills: H.R. 3824, amended, Threatened and Endangered Species Recovery Act of 2005; H.R. 1129, amended, Pitkin County Land Exchange Act of 2005; H.R. 2383, To redesignate the facility of the Bureau of Reclamation located at 19550 Kelso Road in Byron, California, as the "C.W. 'Bill' Jones Pumping Plant;" H.R. 2875, amended, Public Lands Corps Healthy Forests Restoration Act of 2005; H.R. 3351, amended, Native American Technical Corrections Act of 2005; and S. 1339, Junior Duck Stamp Reauthorization Act of 2005.

BRIEFING—GLOBAL UPDATES

Permanent Select Committee on Intelligence: Met in executive session to receive a Briefing on Global Updates. Testimony was heard from departmental witnesses.

PREDICTING HURRICANES: WHAT WE KNEW ABOUT KATRINA AND WHEN

Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina: Held a hearing entitled "Predicting Hurricanes: What We Knew About Katrina and When." Testimony was heard from the following officials of National Weather Service, NOAA, Department of Commerce: BG David L. Johnson, USAF (Ret.), Director, and Max Mayfield, Director, National Hurricane Center.

Prior to the hearing, the Committee met for organizational purposes.

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Monday, September 26, 2005

Senate

Chamber Action

Routine Proceedings, pages 21190–21257

Measures Introduced: Seven bills and one resolution were introduced, as follows: S. 1767–1773, and S. Res. 251. **Page 21220**

Measures Reported:

S. 37, to extend the special postage stamp for breast cancer research for 2 years. (S. Rept. No. 109–140) **Page 21220**

Measures Passed:

Quarterly Financial Report Program: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of H.R. 2385, to extend by 10 years the authority of the Secretary of Commerce to conduct the quarterly financial report program, and the bill was then passed, clearing the measure for the President. **Page 21256**

Animal Rescue and Care: Senate agreed to S. Res. 251, expressing the sense of the Senate that the President should ensure that Federal response and recovery efforts for Hurricane Katrina include consideration for animal rescue and care. **Page 21257**

Higher Education Extension Act: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of H.R. 3784, to temporarily extend the programs under the Higher Education Act of 1965, and the bill was then passed, clearing the measure for the President. **Page 21257**

Roberts Nomination: Senate began consideration of the nomination of John G. Roberts, Jr., of Maryland, to be Chief Justice of the United States. **Page 21190**

A unanimous-consent-time agreement was reached providing for further consideration of the nomination at 10:30 a.m., on Thursday, September 29, 2005, and at 11:30 a.m., Senate will vote on confirmation of the nomination. **Page 21256**

A unanimous-consent-time agreement was reached providing for further consideration of the nomination at 9:45 a.m., on Tuesday, September 27, 2005. **Page 21257**

Treaty Approved: The following treaty having passed through its various parliamentary stages, up to and including the presentation of the resolution of ratification, two-thirds of the Senators present having voted in the affirmative, the resolution of ratification was agreed to by a unanimous vote of 87 yeas (Vote No. 244):

Protocol of Amendment to International Convention on Simplification and Harmonization of Customs Procedures (Treaty Doc. 108–6). **Page 21210**

Measures Placed on Calendar: **Pages 21219, 21257**

Measures Read First Time: **Page 21219**

Executive Communications: **Page 21219**

Additional Cosponsors: **Page 21220**

Statements on Introduced Bills/Resolutions: **Page 21221**

Notices of Hearings/Meetings: **Page 21237**

Privilege of the Floor: **Page 21237**

Record Votes: One record vote was taken today. (Total—244) **Page 21210**

Adjournment: Senate convened at 1 p.m., and adjourned at 7:45 p.m., until 9:45 a.m., on Tuesday, September 27, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 21257.)

Committee Meetings

APPROPRIATIONS: DEFENSE

Committee on Appropriations: Subcommittee on Defense approved for full Committee consideration H.R. 2863, making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, with an amendment in the nature of a substitute.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 4 public bills, H.R. 3893–3896 were introduced. **Page 21180**

Additional Cosponsors: **Page 21180**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Boozman to act as Speaker pro tempore for today. **Page 21177**

Committee Resignation: Read a letter from Representative Sensenbrenner wherein he resigned from the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina. **Page 21177**

Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina—Ap-

pointment: The Chair announced the Speaker's appointment of Representative Miller of Florida to the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina. **Page 21178**

Senate Message: Message received from the Senate today appears on page 21177.

Senate Referrals: S. 1752 was held at the desk; S. 1758 was referred to the Committee on Resources; and S. 1764 was referred to the Committees on Budget, Education and the Workforce and Transportation and Infrastructure. **Page 21178**

Quorum Calls—Votes: There were no votes or quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 2:05 p.m.

Committee Meetings

PARTNERS FOR FISH AND WILDLIFE ACT

Committee on Resources: On September 23, the Subcommittee on Fisheries and Oceans held a hearing on the following bills: S. 260 and H.R. 2018, Partners for Fish and Wildlife Act. Testimony was heard from Matt Hogan, Acting Director, U.S. Fish and Wildlife Service, Department of the Interior; and public witnesses.

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Tuesday, September 27, 2005

Senate

Chamber Action

Routine Proceedings, pages 21261–21330

Measures Introduced: Five bills and four resolutions were introduced, as follows: S. 1774–1778, S.J. Res. 25–26, and S. Res. 252–253. **Page 21315**

Measures Reported:

S. 572, to amend the Homeland Security Act of 2002 to give additional biosecurity responsibilities to the Department of Homeland Security, with an amendment in the nature of a substitute.

S. 939, to expedite payments of certain Federal emergency assistance authorized pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and to direct the Secretary of Homeland Security to exercise certain authority provided under that Act, with an amendment in the nature of a substitute.

S. 1700, to establish an Office of the Hurricane Katrina Recovery Chief Financial Officer, with an amendment in the nature of a substitute.

S. 1736, to provide for the participation of employees in the judicial branch in the Federal leave transfer program for disasters and emergencies.

S. 1738, to expand the responsibilities of the Special Inspector General for Iraq Reconstruction to provide independent objective audits and investigations relating to the Federal programs for Hurricane Katrina recovery, with amendments.

S. 1777, to provide relief for the victims of Hurricane Katrina. **Page 21315**

Measures Passed:

Jacob L. Frazier Post Office Building: Senate passed H.R. 3767, to designate the facility of the United States Postal Service located at 2600 Oak Street in St. Charles, Illinois, as the "Jacob L. Frazier Post Office Building," clearing the measure for the President. **Page 21280**

Karl Malden Station: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of H.R. 3667, to designate the facility of the United States Postal Service located at 200 South Barrington Street in Los Angeles, California, as the "Karl Malden Station," and the bill was then passed, clearing the measure for the President. **Page 21280**

Servicemembers' Group Life Insurance Enhancement Act: Committee on Veterans Affairs was discharged from further consideration of H.R. 3200, to amend title 38, United States Code, to enhance the Servicemembers' Group Life Insurance program, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Page 21280**

Isakson (for Craig) Amendment No. 1872, in the nature of a substitute. **Page 21281**

Water Resources Research Act Amendments: Senate passed S. 1017, to reauthorize grants for the water resources research and technology institutes established under the Water Resources Research Act of 1984, after agreeing to the committee amendments. **Page 21281**

Gulf Coast Emergency Water Infrastructure Assistance Act: Committee on Environment and Public Works was discharged from further consideration of S. 1709, to provide favorable treatment for certain projects in response to Hurricane Katrina, with respect to revolving loans under the Federal Water Pollution Control Act, and the bill was then passed, after agreeing to the following amendment: **Page 21281**

Isakson (for Inhofe) Amendment No. 1873, in the nature of a substitute. **Page 21282**

Student Financial Assistance Waiver Extension: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of H.R. 2132, to extend the waiver authority of the Secretary of Education with respect to student financial assistance during a war or other military operation or national emergency, and the bill was then passed, clearing the measure for the President. **Page 21322**

Breast Cancer Research Stamp Extension: Senate passed S. 37, to extend the special postage stamp for breast cancer research for 2 years. **Page 21322**

Roberts Nomination: Senate continued consideration of the nomination of John G. Roberts, Jr., of Maryland, to be Chief Justice of the United States. **Pages 21261, 21282, 21329**

A unanimous-consent-time agreement was reached providing for further consideration of the nomination at 9:30 a.m., on Wednesday, September 28, 2005. **Page 21323**

National Law Enforcement Officers Memorial Maintenance Fund Act—Referral Agreement: A unanimous-consent agreement was reached providing that the Committee on the Judiciary be discharged from further consideration of H.R. 2107, to amend Public Law 104–329 to modify authorities for the use of the National Law Enforcement Officers Memorial Maintenance Fund, and the bill was then referred to the Committee on Energy and Natural Resources. **Pages 21315, 21323**

Messages From the House: **Page 21314**

Measures Referred: **Page 21314**

Measures Placed on Calendar: **Pages 21314, 21323**

Executive Communications: **Page 21314**

Additional Cosponsors: **Page 21316**

Statements on Introduced Bills/Resolutions: **Page 21317**

Amendments Submitted: **Page 21321**

Authority for Committees to Meet: **Page 21322**

Privilege of the Floor: **Page 21322**

Adjournment: Senate convened at 9:45 a.m., and adjourned at 7:40 p.m., until 9:30 a.m., on Wednesday, September 28, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 21323.)

Committee Meetings

DEFENSE ACQUISITION PROCESSES

Committee on Armed Services: Committee held a hearing to examine needed improvements to defense acquisition processes and organizations, receiving testimony from Gordon R. England, Acting Deputy Secretary, Kenneth J. Krieg, Under Secretary for Acquisition, Technology and Logistics, Admiral Edmund P. Giambastiani, Jr., USN, Vice Chairman, Joint Chiefs of Staff, and Lieutenant General Ronald T. Kadish, USAF (Ret.), Chairman, Defense Acquisition Performance Assessment Project, all of the Department of Defense.

Hearing recessed subject to the call.

ABANDONED MINE RECLAMATION

Committee on Energy and Natural Resources: Committee concluded a hearing to examine S. 1701, to amend the Surface Mining Control and Reclamation Act of 1977 to improve the reclamation of abandoned mines, and S. 961, to amend the Surface Mining Control and Reclamation Act of 1977 to reauthorize and reform the Abandoned Mine Reclamation Program, after receiving testimony from Thomas D. Shope, Chief of Staff, Office of Surface Mining Reclamation and Enforcement, Department of the Interior; Evan J. Green, Wyoming Department of Environmental Quality, Cheyenne; Steve Hohmann, Kentucky Department for Natural Resources, Frankfort, on behalf of the Interstate Mining Compact Commission; Joe Shirley, Jr., The Navajo Nation, Window Rock, Arizona; Andrew McElwaine, Pennsylvania Environmental Council, Harrisburg, on behalf of the Pennsylvania Abandoned Mine Land Campaign; Charles Gauvin, Trout Unlimited, Arlington, Virginia; Daniel J. Kane, United Mine Workers of America, Fairfax, Virginia; and Lorraine Lewis, UMWA Health and Retirement Funds, and David Finkenbinder, National Mining Association, both of Washington, D.C.

NOMINATION

Committee on Foreign Relations: Committee concluded a hearing to examine the nomination of John J. Danilovich, of California, to be Chief Executive Officer, Millennium Challenge Corporation, after the nominee testified and answered questions in his own behalf.

U.S. ENERGY SECURITY

Committee on Foreign Relations: Subcommittee on International Economic Policy, Export and Trade Promotion concluded a hearing to examine energy supplies in Eurasia and implications for U.S. energy security, including the region's potential to uncover additional reserves and expand production in coming years with the participation of U.S. energy companies, after receiving testimony from Paul E. Simons, Deputy Assistant Secretary of State for Energy, Sanctions and Commodities; Karen Harbert, Assistant Secretary of Energy for Policy and International Affairs; Alastair Ferguson, TNK–BP, Moscow, Russia; J. Robinson West, PFC Energy, and Zeyno Baran, The Nixon Center, both of Washington, D.C.; and Michael T. Klare, Hampshire College, Amherst, Massachusetts.

ALTERNATIVE PERSONNEL SYSTEMS

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia concluded a hearing to examine assessing progress in the Federal government regarding alternative personnel systems, focusing on systems to learn where personnel systems have been successfully employed and what steps have been taken in their development to ensure effective implementation and operation, after receiving testimony from Dan G. Blair, Deputy Director, Office of Personnel Management; David M. Walker, Comptroller General of the United States, Government Accountability Office;

Jeffery K. Nulf, Deputy Assistant Secretary for Administration, and Hratch G. Semerjian, Deputy Director, National Institute of Standards and Technology, Technology Administration, both of the Department of Commerce; Arleas Upton Kea, Director, Division of Administration, Federal Deposit Insurance Corporation; and C. Morgan Kinghorn, Jr., National Academy of Public Administration, Colleen M. Kelley, National Treasury Employees Union, and John Gage, American Federation of Government Employees (AFL–CIO), all of Washington, D.C.

HOUSING ASSISTANCE

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, and International Security concluded an oversight hearing to examine housing-related programs for the poor, focusing on existing challenges in measuring improper rent subsidy payments in housing assistance programs at HUD, as well as Federal oversight of the Low-Income Home Energy Assistance Program, after receiving testimony from James M. Martin, Assistant Chief Financial Officer for Financial Management, Department of Housing and Urban Development; David G. Wood, Director, Financial Markets and Community Investment, and Jim Wells, Director, Natural Resources and Environment, both of the Government Accountability Office; and Josephine Bias Robinson, Director, Office of Community Services, Administration for Children and Families, Department of Health and Human Services.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 30 public bills, H.R. 3897–3926; 1 private bill, H.R. 3927; and 13 resolutions, H.J. Res. 68; H. Con. Res. 250–254; and H. Res. 460–461, 463–467 were introduced. **Page 21360**

Additional Cosponsors: **Page 21362**

Reports Filed: Reports were filed today as follows:

H.R. 2491, to amend the Solid Waste Disposal Act to authorize States to restrict receipt of foreign municipal solid waste and implement the Agreement Concerning the Transboundary Movement of Hazardous Waste between the United States and Canada, with an amendment (Rept. 109–235); H. Res. 462, providing for consideration of the bill (H.R. 3402) to authorize appropriations for the Department of Justice for fiscal years 2006 through 2009 (Rept. 109–236); and H.R. 3824, to amend and reauthorize the Endangered Species Act of 1973 to provide greater results conserving and recovering listed species, with an amendment (Rept. 109–237). **Page 21360**

Speaker: Read a letter from the Speaker wherein he appointed Representative Petri to act as Speaker pro tempore for today. **Page 21331**

Recess: The House recessed at 12:37 p.m. and reconvened at 2 p.m. **Page 21331**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Natural Disaster Student Aid Fairness Act: H.R. 3863, amended, to provide the Secretary of Education with waiver authority for the reallocation rules in the Campus-Based Aid programs, and to extend the deadline by which funds have to be reallocated to institutions of higher education due to a natural disaster; **Page 21334**

Supporting the goals and ideals of "Lights On Afterschool!", a national celebration of after-school programs: H.J. Res. 66, to support the goals and ideals of "Lights On Afterschool!", a national celebration of after-school programs, by a yea-and-nay vote of 403 yeas with none voting "nay", Roll No. 494; **Pages 21338, 21349**

Staff Sergeant Michael Schafer Post Office Building Designation Act: H.R. 3703, to designate the facility of the United States Postal Service located at 8501 Philatelic Drive in Spring Hill, Florida, as the "Staff Sergeant Michael Schafer Post Office Building"; **Page 21340**

Randall D. Shughart Post Office Building Designation Act: H.R. 2062, to designate the facility of the United States Postal Service located at 57 West Street in Newville, Pennsylvania, as the "Randall D. Shughart Post Office Building"; and **Page 21341**

Supporting the goals and ideals of Domestic Violence Awareness Month: H. Con. Res. 209, to support the goals and ideals of Domestic Violence Awareness Month and to express the sense of Congress that Congress should raise awareness of domestic violence in the United States and its devastating effects on families, by a yea-and-nay vote of 404 yeas with none voting "nay", Roll No. 496. **Pages 21343, 21350**

Suspensions—Failed: The House failed to agree to suspend the rules and pass the following measure:

Maudelle Shirek Post Office Building Designation Act: H.R. 438, to designate the facility of the United States Postal Service located at 2000 Allston Way in Berkeley, California, as the "Maudelle Shirek Post Office Building", by a yea-and-nay vote 190 yeas to 215 nays, Roll No. 495. **Pages 21342, 21349**

Recess: The House recessed at 3:34 p.m. and reconvened at 6:31 p.m. **Page 21348**

Recess: The House recessed at 8:31 p.m. and reconvened at 9:39 p.m. **Page 21358**

Senate Message: Messages received from the Senate today appears on pages 21332 and 21348.

Senate Referrals: S. 1017 was referred to the Committee on Resources; and S. 1709 was referred to the Committees on Transportation and Infrastructure and Energy and Commerce. **Page 21358**

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages 21349–51. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 9:40 p.m.

Committee Meetings

HUD—HURRICANE KATRINA

Committee on Appropriations: Subcommittee on Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and Independent Agencies held a hearing on Department of Housing and Urban Development (Hurricane Katrina). Testimony was heard from the following officials of the Department of Housing and Urban Development: Roy Bernardi, Deputy Secretary, Community Planning and Development; and Brian Montgomery, Assistant Secretary and Commissioner, FHA.

RESOLUTION—DISAPPROVING RECOMMENDATIONS OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

Committee on Armed Services: Ordered adversely reported H.J. Res. 65, Disapproving the recommendations of the Defense Base Closure and Realignment Commission.

THREATS IN ASIA

Committee on Armed Services: Committee Defense Review Threat Panel held a hearing on Threats in Asia. Testimony was heard from public witnesses.

INTERNATIONAL DEBT POLICY

Committee on Financial Services: Subcommittee on Domestic and International Monetary Policy, Trade, and Technology held a hearing entitled "IDA–14: Historic Advance or Incremental Change in Debt and Development Policy." Testimony was heard from the following officials of the Department of the Treasury: Timothy D. Adams, Under Secretary, International Affairs; and Bobby J. Pittman, Jr., Deputy Assistant Secretary, Multilateral Development Institutions and Policy.

GOVERNMENT AGENCY PERFORMANCE

Committee on Government Reform: Subcommittee on Federal Workforce and Agency Organization held a hearing entitled "It's Time to React—Reauthorizing Executive Authority to Consolidate Tasks: Establishing Results and Sunset Commissions (H.R. 3276 and H.R. 3277)." Testimony was heard from Clay Johnson, Deputy Director, Management, OMB; and public witnesses.

BUSINESS ACTIVITY TAX SIMPLIFICATION ACT

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held a hearing on H.R. 1956, Business Activity Tax Simplification Act of 2005. Testimony was heard from Earl Ehrhart, member, House of Representatives, State of Georgia; Joan Wagnon, Secretary of Revenue, State of Kansas; and public witnesses.

METHAMPHETAMINE EPIDEMIC ELIMINATION ACT

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held a hearing on H.R. 3889, Methamphetamine Epidemic Elimination Act. Testimony was heard from Representatives Souder and Kennedy of Minnesota; Joseph T. Rannazzisi, Deputy Chief, Office of Enforcement Operations, DEA, Department of Justice; and a public witness.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Forests and Forest Health held a hearing on the following bills: H.R. 679, To direct the Secretary of the Interior to convey a parcel of real property to Beaver County, Utah; H.R. 2069, Utah Recreational Land Exchange Act of 2005; H.R. 3462, To provide for the conveyance of the Bureau of Land Management parcels known as the White Acre and Gambel Oak properties and related real property to Park City, Utah; and H.R. 3818, Forest Service Partnership Enhancement Act of 2005. Testimony was heard from Jack Troyer, Regional Forester, Inner Mountain Region 4, Forest Service, USDA; Chad Calvert, Deputy Assistant Secretary, Lands and Minerals Management, Department of the Interior; Dana Williams, Mayor, Park City, Utah; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Water and Power held a hearing on the following measures: H.R. 1564, Yakima-Tieton Irrigation District Conveyance Act of 2005; H.R. 2873, Albuquerque Biological Park Title Clarification Act; H.R. 2925, To amend the Reclamation States Emergency Drought Relief Act of 1991 to extend the authority for drought assistance; H.R. 3443, To direct the Secretary of the Interior to convey certain water distribution facilities to the Northern Colorado Water Conservancy District; and a measure regarding a water supply project near Madera, California. Testimony was heard from Jack Garner, Acting Deputy Commissioner, Bureau of Reclamation, Department of the Interior; and public witnesses.

DEPARTMENT OF JUSTICE APPROPRIATIONS AUTHORIZATION ACT, FISCAL YEARS 2006 THROUGH 2009

Committee on Rules: Granted, by voice vote, a structured rule providing one hour of general debate on H.R. 3402, to authorized appropriations for the Department of Justice for fiscal years 2006 through 2009, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as an original bill for the purpose of amendment. The rule waives all points of order against the amendment in the nature of a substitute recommended by the Committee on the Judiciary.

The rule makes in order only those amendment printed in the Rules Committee report accompanying the resolution. The rule provides that the amendments printed in the report may be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Sensenbrenner and Representatives Flake, King of Iowa, Kolbe, Bartlett of Maryland, Brown-Waite of Florida, Conyers, Slaughter, Maloney of New York, Stupak, McCarthy of New York, Holt, Watson, Cuellar and Herseth.

SOCIAL SECURITY DISABILITY

Committee on Ways and Means: Subcommittee on Social Security and the Subcommittee on Human Resources held a joint hearing on the Commissioner of Social Security's proposed regulation to improve the disability determination process. Testimony was heard from Jo Anne B. Barnhart, Commissioner, SSA; Judge Howard D. McKibben, Chair, Judicial Conference Committee, Federal-State Jurisdiction, Administrative Office of the U.S. Courts; and public witnesses.

HURRICANE—ROLE OF FEMA

Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina: Held a hearing entitled "Hurricane Katrina: the Role of the Federal Emergency Management Agency. Testimony was heard from Michael D. Brown former Under Secretary, Emergency Preparedness and Response and Director, FEMA, Department of Homeland Security.

Wednesday, September 28, 2005

Senate

Chamber Action

Routine Proceedings, pages 21381–21486

Measures Introduced: Ten bills and eight resolutions were introduced, as follows: S. 1779–1788, S.J. Res. 27, S. Res. 254–259, and S. Con. Res. 54. **Page 21448**

Measures Reported:

H.R. 2863, making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, with an amendment in the nature of a substitute. **Page 21448**

Measures Passed:

NASA Authorization: Senate passed S. 1281, to authorize appropriations for the National Aeronautics and Space Administration for science, aeronautics, exploration, exploration capabilities, and the Inspector General, for fiscal years 2006, 2007, 2008, 2009, and 2010, after agreeing to the committee amendments, and the following amendment proposed thereto: **Page 21465**

Graham (for Hutchison/Nelson (FL)) Amendment No. 1875, of a perfecting nature. **Page 21475**

Veterans' Benefits Improvement Act: Senate passed S. 1235, to amend title 38, United States Code, to extend the availability of $400,000 in life insurance coverage to servicemembers and veterans, to make a stillborn child an insurable dependent for purposes of the Servicemembers' Group Life Insurance program, to make technical corrections to the Veterans Benefits Improvement Act of 2004, to make permanent a pilot program for direct housing loans for Native American veterans, and to require an annual plan on outreach activities of the Department of Veterans Affairs, after agreeing to the committee amendment in the nature of a substitute and an amendment to the title. **Page 21475**

Assistance for Individuals with Disabilities Affected by Hurricanes Katrina and Rita Act: Senate passed H.R. 3864, to assist individuals with disabilities affected by Hurricanes Katrina or Rita through vocational rehabilitation services, clearing the measure for the President. **Page 21477**

Honoring Sandra Feldman: Senate agreed to S. Res. 256, honoring the life of Sandra Feldman. **Page 21477**

Recognizing Jacob Mock Doub: Senate agreed to S. Res. 257, recognizing the spirit of Jacob Mock Doub and many young people who have contributed to encouraging youth to be physically active and fit, and expressing support for "National Take a Kid Mountain Biking Day". **Page 21478**

Commending Timothy S. Wineman: Senate agreed to S. Res. 258, to commend Timothy Scott Wineman. **Page 21478**

Airport Improvement Project Grants: Senate passed S. 1786, to authorize the Secretary of Transportation to make emergency airport improvement project grants-in-aid under title 49, United States Code, for repairs and costs related to damage from Hurricanes Katrina and Rita. **Page 21479**

Montana Indian Water Rights—Referral Agreement: A unanimous-consent agreement was reached providing that the Committee on Energy and Natural Resources be discharged from further consideration of S. 1219, to authorize certain tribes in the State of Montana to enter into a lease or other temporary conveyance of water rights to meet the water needs of the Dry Prairie Rural Water Association, Inc., and the bill was then referred to the Committee on Indian Affairs. **Page 21479**

Roberts Nomination: Senate continued consideration of the nomination of John G. Roberts, Jr., of Maryland, to be Chief Justice of the United States. **Page 21381**

A unanimous-consent-time agreement was reached providing for further consideration of the nomination at 9:30 a.m., on Thursday, September 28, 2005, provided further, that the time until 10:30 a.m., be equally divided between the two leaders or their designees, and at 11:30 a.m., vote on confirmation of the nomination. **Page 21480**

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following treaty:

Protocol Amending the Tax Convention with France (Treaty Doc. No. 109–4).

The treaty was transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed. **Page 21479**

Nominations Received: Senate received the following nominations:

Jendayi Elizabeth Frazer, Assistant Secretary of State (African Affairs), to be a Member of the Board of Directors of the African Development Foundation for the remainder of the term expiring September 27, 2009.

Horace A. Thompson, of Mississippi, to be a Member of the Occupational Safety and Health Review Commission for a term expiring April 27, 2011.

Kent D. Talbert, of Virginia, to be General Counsel, Department of Education.

Carol E. Dinkins, of Texas, to be Chairman of the Privacy and Civil Liberties Oversight Board.

Alan Charles Raul, of the District of Columbia, to be Vice Chairman of the Privacy and Civil Liberties Oversight Board.

Timothy C. Batten, Sr., of Georgia, to be United States District Judge for the Northern District of Georgia.

Kristi Dubose, of Alabama, to be United States District Judge for the Southern District of Alabama.

Thomas E. Johnston, of West Virginia, to be United States District Judge for the Southern District of West Virginia.

Virginia Mary Kendall, of Illinois, to be United States District Judge for the Northern District of Illinois.

W. Keith Watkins, of Alabama, to be United States District Judge for the Middle District of Alabama.

Routine lists in the National Oceanic and Atmospheric Administration, and Public Health Service. **Page 21485**

Messages From the House: **Page 21446**

Measures Referred: **Page 21446**

Measures Placed on Calendar: **Page 21447**

Executive Communications: **Page 21447**

Additional Cosponsors: **Page 21448**

Statements on Introduced Bills/Resolutions: **Page 21450**

Additional Statements: **Page 21444**

Amendments Submitted: **Page 21458**

Notices of Hearings/Meetings: **Page 21463**

Authority for Committees to Meet: **Page 21463**

Privilege of the Floor: **Page 21464**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 7:37 p.m., until 9:30 a.m., on Thursday, September 29, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 21480.)

Committee Meetings

APPROPRIATIONS: DEFENSE

Committee on Appropriations: Committee ordered favorably reported H.R. 2863, making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, with an amendment in the nature of a substitute.

PROFESSIONAL SPORTS INTEGRITY

Committee on Commerce, Science, and Transportation: Committee concluded hearings to examine S. 1114, to establish minimum drug testing standards for major professional sports leagues, and S. 1334, to provide for integrity and accountability in professional sports, after receiving testimony from Senator Bunning; Allan H. Selig, Major League Baseball, Milwaukee, Wisconsin; Donald M. Fehr, Major League Baseball Players Association, Paul Tagliabue, National Football League, David J. Stern, National Basketball Association, Antonio Davis, National Basketball Players Association, and Gary Bettman, National Hockey League, all of New York, New York; Eugene Upshaw, National Football League Players Association, and Ted Saskin, National Hockey League Players'

Association, both of Washington, D.C.; Ryne Sandberg, Phoenix, Arizona; Robin Roberts, Tampa, Florida; Lou Brock, St. Louis, Missouri; and Phil Niekro, and Hank Aaron, both of Atlanta, Georgia.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported the following bills:

S. 166, to amend the Oregon Resource Conservation Act of 1996 to reauthorize the participation of the Bureau of Reclamation in the Deschutes River Conservancy;

S. 206, to designate the Ice Age Floods National Geologic Trail, with an amendment in the nature of a substitute;

S. 213, to direct the Secretary of the Interior to convey certain Federal land to Rio Arriba County, New Mexico, with an amendment in the nature of a substitute;

S. 242, to establish 4 memorials to the Space Shuttle Columbia in the State of Texas, with an amendment in the nature of a substitute;

S. 251, to authorize the Secretary of the Interior, acting through the Bureau of Reclamation, to conduct a water resource feasibility study for the Little Butte/Bear Creek Subbasins in Oregon, with amendments;

S. 592, to extend the contract for the Glendo Unit of the Missouri River Basin Project in the State of Wyoming, with an amendment;

S. 652, to provide financial assistance for the rehabilitation of the Benjamin Franklin National Memorial in Philadelphia, Pennsylvania, and the development of an exhibit to commemorate the 300th anniversary of the birth of Benjamin Franklin;

S. 761, to rename the Snake River Birds of Prey National Conservation Area in the State of Idaho as the Morley Nelson Snake River Birds of Prey National Conservation Area in honor of the late Morley Nelson, an international authority on birds of prey, who was instrumental in the establishment of this National Conservation Area;

S. 777, to designate Catoctin Mountain Park in the State of Maryland as the "Catoctin Mountain National Recreation Area", with amendments;

S. 819, to authorize the Secretary of the Interior to reallocate costs of the Pactola Dam and Reservoir, South Dakota, to reflect increased demands for municipal, industrial, and fish and wildlife purposes;

S. 891, to extend the water service contract for the Ainsworth Unit, Sandhills Division, Pick-Sloan Missouri Basin Program, Nebraska;

S. 895, to direct the Secretary of the Interior to establish a rural water supply program in the Reclamation States to provide a clean, safe, affordable, and reliable water supply to rural residents, with an amendment in the nature of a substitute;

S. 955, to direct the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of including in the National Park System certain sites in Williamson County, Tennessee, relating to the Battle of Franklin, with an amendment;

S. 958, to amend the National Trails System Act to designate the Star-Spangled Banner Trail in the States of Maryland and Virginia and the District of Columbia as a National Historic Trail, with an amendment;

S. 1154, to extend the Acadia National Park Advisory Commission, to provide improved visitor services at the park, with amendments;

S. 1170, to establish the Fort Stanton-Snowy River National Cave Conservation Area, with an amendment in the nature of a substitute;

S. 1238, to amend the Public Lands Corps Act of 1993 to provide for the conduct of projects that protect forests, with amendments;

S. 1338, to require the Secretary of the Interior, acting through the Bureau of Reclamation and the United States Geological Survey, to conduct a study on groundwater resources in the State of Alaska, with an amendment;

S. 1627, to authorize the Secretary of the Interior to conduct a special resources study to evaluate resources along the coastal region of the State of Delaware and to determine the suitability and feasibility of establishing a unit of the National Park System in Delaware;

H.R. 126, to amend Public Law 89–366 to allow for an adjustment in the number of free roaming horses permitted in Cape Lookout National Seashore;

S. 584, to require the Secretary of the Interior to permit continued occupancy and use of certain lands and improvements within Rocky Mountain National Park, with an amendment in the nature of a substitute;

H.R. 539, to designate certain National Forest System land in the Commonwealth of Puerto Rico as a component of the National Wilderness Preservation System;

H.R. 584, to authorize the Secretary of the Interior to recruit volunteers to assist with, or facilitate, the activities of various agencies and offices of the Department of the Interior;

H.R. 606, to authorize appropriations to the Secretary of the Interior for the restoration of the Angel Island Immigration Station in the State of California;

H.R. 1101, to revoke a Public Land Order with respect to certain lands erroneously included in the Cibola National Wildlife Refuge, California; and

S. 485, to reauthorize and amend the National Geologic Mapping Act of 1992.

GRAZING PROGRAMS

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests concluded an oversight hearing to examine the grazing programs of the Bureau of Land Management and the Forest Service, including proposed changes to grazing regulations, and the status of grazing permit renewals, monitoring programs and allotment restocking plans, after receiving testimony from Jim

Hughes, Deputy Director, Bureau of Land Management, Department of the Interior; Fred Norbury, Associate Deputy Chief, National Forest System, Forest Service, Department of Agriculture; Michael Byrne, Public Lands Council, Tule Lake, California, on behalf of the National Cattlemen's Beef Association; William S. Whelan, The Nature Conservancy, Arlington, Virginia; and Richard L. Knight, Colorado State University, College of Natural Resources, Fort Collins.

ENVIRONMENTAL POLICY MAKING

Committee on Environment and Public Works: Committee concluded a hearing to examine the role of science in environmental policy making, focusing on independent verification to science, after receiving testimony from Donald R. Roberts, Division of Tropical Public Health, Department of Preventive Medicine and Biometrics, Uniformed Services University of the Health Sciences, Department of Defense; Richard E. Benedick, National Council for Science and the Environment, and David B. Sandalow, The Brookings Institution, both of Washington, D.C.; William M. Gray, Colorado State University Department of Atmospheric Science, Fort Collins; and Michael Crichton, Los Angeles, California.

HURRICANE KATRINA: COMMUNITY ASSISTANCE

Committee on Finance: Committee held hearings to examine the economic recovery of certain Gulf Coast States, focusing on community rebuilding needs, including housing, transportation and educational assistance; and to examine the effectiveness of prior tax legislative proposals to address recent disasters affecting the United States, receiving testimony from George K. Yin, Chief of Staff, Joint Committee on Taxation; Louisiana Governor Kathleen Babineaux Blanco, Baton Rouge; Mississippi Governor Haley Barbour, Jackson; Alabama Governor Bob Riley, Montgomery; Diana Aviv, Independent Sector, and Jean-Mari Peltier, National Council of Farmer Cooperatives, both of Washington, D.C.; Deputy Mayor Daniel L. Doctoroff, New York, New York; and Gary P. LaGrange, New Orleans, Louisiana, on behalf of the Port of New Orleans and the American Association of Port Authorities.

Hearing recessed subject to the call.

SUDAN

Committee on Foreign Relations: Committee concluded a hearing to examine the international response to the Darfur region of Sudan, focusing on the goals of the United States toward the region, the Naivasha (North-South) Comprehensive Peace Agreement (CPA), and North Atlantic Treaty Organization (NATO) assistance to the African Union Mission for Sudan, after receiving testimony from Robert B. Zoellick, Deputy Secretary of State; and General James L. Jones, Jr., USMC, Commander, United States European Command, Department of Defense.

HURRICANE KATRINA RECOVERY

Committee on Homeland Security and Governmental Affairs: Committee continued a hearing to examine the emergency response and local efforts to meet the immediate needs of victims recovering from Hurricane Katrina, receiving testimony from County Judge Robert A. Eckels, Harris County, Texas; Mayor-President Melvin L. Holden, Baton Rouge, Louisiana; Mayor Robert V. Massengill, Brookhaven, Mississippi; and Mayor Dan Coody, Fayetteville, Arkansas.

Hearing recessed subject to the call.

COPYRIGHT PROTECTION AND INNOVATION

Committee on the Judiciary: Committee concluded a hearing to examine copyright and innovation issues relative to the Supreme Court's recent ruling in *Metro-Goldwyn-Mayer Studios* v. *Grokster*, focusing on protection of intellectual property and the prosecution of those who steal or illegally distribute intellectual resources, after receiving testimony from Mary Beth Peters, Register of Copyrights, Copyright Office, Library of Congress; Debra Wong Yang, U.S. Attorney, Central District of California, Department of Justice; Cary Sherman, Recording Industry Association of America, Washington, D.C.; Gary J. Shapiro, Consumer Electronics Association, Arlington, Virginia, on behalf of the Home Recording Rights Coalition; Mark A. Lemley, Stanford University Law School, Stanford, California; Ali Aydar, SNOCAP, Inc., San Francisco, California; Sam Yagan, MetaMachine, Inc., New York, New York; and Marty Roe, Nashville, Tennessee.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 10 public bills, H.R. 3928–3937; and 2 resolutions, H. Con. Res. 255; and H. Res. 471 were introduced. **Page 21614**

Additional Cosponsors: **Page 21615**

Reports Filed: Reports were filed today as follows:

H. Res. 468, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. 109–238); H. Res. 469, providing for consideration of the joint resolution (H.J. Res. 68) making continuing appropriations for the fiscal year 2006, and for other purposes; for consideration of motions to suspend the rules; and addressing a motion to proceed under section 2908 of the Defense Base Closure and Realignment Act of 1990 (Rept. 109–239); and H. Res. 470, providing for consideration of the bill (H.R. 3824) to amend and reauthorize the Endangered Species Act of 1973 to provide greater results conserving and recovering listed species, and for other purposes (Rept. 109–240). **Page 21614**

Speaker: Read a letter from the Speaker wherein he appointed Representative Shaw to act as Speaker pro tempore for today. **Page 21487**

Chaplain: The prayer was offered today by Rev. Thomas Johns, Pastor, St. John Vianney Parish, Mentor, Ohio. **Page 21487**

Department of Homeland Security Appropriations Act, 2006—Motion to go to Conference: The House disagreed to the Senate amendment and agreed to a conference on H.R. 2360, to make appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006. **Page 21491**

Rejected the Sabo motion to instruct conferees by a yea-and-nay vote of 196 yeas to 227 nays, Roll No. 497. **Pages 21491, 21501**

Appointed as conferees: Representatives Messrs. Rogers of Kentucky, Wamp, Latham, Mrs. Emerson, Messrs. Sweeney, Kolbe, Istook, LaHood, Crenshaw, Carter, Lewis of California, Sabo, Price of North Carolina, Serrano, Ms. Roybal-Allard, Messrs. Bishop of Georgia, Berry, Edwards, and Obey. **Page 21503**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Assistance for Individuals with Disabilities Affected by Hurricanes Katrina and Rita Act of 2005: H.R. 3864, amended, to provide vocational rehabilitation services to individuals with disabilities affected by Hurricane Katrina or Hurricane Rita; **Page 21503**

Agreed to amend the title so as to read: "A bill to assist individuals with disabilities affected by Hurricane Katrina or Rita through vocational rehabilitation services." **Page 21504**

Servicemembers' Group Life Insurance Enhancement Act of 2005: Agree to the Senate amendment to H.R. 3200, to amend title 38, United States Code, to enhance the Servicemembers' Group Life Insurance program; **Page 21510**

A bill to amend the United States Grain Standards Act to reauthorize that Act: S. 1752, to amend the United States Grain Standards Act to reauthorize that Act—clearing the measure for the President; **Page 21513**

Recess: The House recessed at 3:10 p.m. and reconvened at 4:04 p.m. **Page 21531**

Department of Justice Appropriations Authorization Act, Fiscal Years 2006 through 2009: The House passed H.R. 3402, to authorize appropriations for the Department of Justice for fiscal years 2006 through 2009, by a yea-and-nay vote of 415 yeas to 4 nays, Roll No. 501. **Page 21519**

Rejected the Stupak motion to recommit the bill to the Committee on the Judiciary with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay vote of 195 yeas to 226 nays, Roll No. 500. **Page 21578**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. **Page 21578**

Agreed to:

Sensenbrenner Manager's amendment (No. 1 printed in H. Rept. 109–236) which makes various technical changes to the bill requested by various members and the Department of Justice, (by a recorded vote of 225 ayes to 199 noes, Roll No. 499); **Page 21565**

Cuellar amendment (No. 2 printed in H. Rept. 109–236) that authorizes appropriations for the newly-structured Border Violence Task Force in Laredo, Texas. The amendment allows the Attorney General to designate the lead on the Border Violence Task Force that is currently being led by the Bureau of Alcohol, Tobacco, Firearms, and Explosives; **Page 21569**

Cuellar amendment (No. 3 printed in H. Rept. 109–236) that authorizes the FBI National Gang Intelligence Center. It adds funding in authorization for the Center for each fiscal year of the bill; **Page 21570**

Capuano amendment (No. 5 printed in H. Rept. 109–236) that authorizes the Attorney General, acting through the Bureau of Justice Assistance, to make grants to State and local prosecutors and law enforcement agencies in support of juvenile (17 years of age or younger) and young adult (between 18 and 21 years of age) witness assistance programs. The amendment authorizes funding for each of fiscal years 2006 through 2009; **Page 21572**

Kennedy of Minnesota amendment (No. 6 printed in H. Rept. 109–236) which provides a requirement that treatment under the Residential Substance Abuse Treatment (RSAT) program be available to those individuals who have passed a regularly administered drug-screening test for three months and that aftercare be provided to prisoners enrolled in the RSAT program as a component of comprehensive substance abuse treatment; **Page 21572**

Brown-Waite of Florida amendment (No. 7 printed in H. Rept. 109–236) that requires the Secretary of Health and Human Services to report to Congress on the correlation between a perpetrators drug and alcohol abuse and the reported incidence of violence at domestic violence shelters; **Page 21573**

Kolbe amendment (No. 9 printed in H. Rept. 109–236) which reauthorizes the State Criminal Alien Assistance Program (SCAAP) through FY2011 and would increase authorized funding also specifies that funds "may be used only for correctional purposes." The amendment also requires the Department of Justice Inspector General submit a report on the State and local governments that receive SCAAP funding and whether they are cooperating with efforts to deport criminal aliens; **Page 21574**

King of Iowa amendment (No. 10 printed in H. Rept. 109–236) that prohibits a person convicted of domestic violence from sponsoring a visa applicant in the future; **Page 21576**

Ryan of Ohio amendment (No. 11 printed in H. Rept. 109–236) which provides additional Federal funding for programs that have received grants by the Department of Justice (Office of Violence Against Women) for providing counseling and shelter for women and children in crisis pregnancies; and **Page 21577**

Slaughter amendment (No. 12 printed in H. Rept. 109–236) which expands the current Federal criminal ban on fake police badges and the misuse of authentic badges to include the uniforms, identification, and all other insignia of all public officials. The use of such badges, uniforms, and insignia would be permitted for dramatic, decorative, display, and recreational purposes. **Page 21577**

Withdrawn:

Poe amendment (No. 4 printed in H. Rept 109–236) that was offered and subsequently withdrawn that sought to establish a fixed annual allocation for State victim assistance grants and OVC discretionary grants equal to the average amount allocated over the previous three years plus 5 percent; and **Page 21571**

Slaughter amendment (No. 8 printed in H. Rept 109–236) that was offered and subsequently withdrawn that sought to require the Office of Victims of Crime working with national, State, and local authorities and in collaboration with other Federal agencies to develop and implement a plan that allows law enforcement officials to gather evidence of a crime during times of emergency even if the crime occurred outside of their jurisdiction. Furthermore, it requires OVC to coordinate, inform, and educate victims, service providers, and law enforcement officials of the process and mechanisms available for reporting violent crimes and gathering evidence during emergencies. **Page 21574**

The amendment in the nature of a substitute, as amended, was adopted. **Page 21578**

Agreed that the Clerk be authorized to make technical and conforming changes in the engrossment of the bill to reflect the actions of the House. **Page 21581**

H. Res. 462, the rule providing for consideration of the bill was agreed to by a yea-and-nay vote of 330 yeas to 89 nays, Roll No. 498, after agreeing to order the previous question by voice vote. **Pages 21497, 21502**

Suspensions—Proceedings Postponed: The House completed debate on the following measure under suspension of the rules. Further consideration will continue at a later date:

Expressing the sense of the House of Representatives regarding the July, 2005, measures of extreme repression on the part of the Cuban Government: H. Res. 388, to express the sense of the House of Representatives regarding the July, 2005, measures of extreme repression on the part of the Cuban Government against members of Cuba's prodemocracy movement, calling for the immediate release of all political prisoners, the legalization of political parties and free elections in Cuba, urging the European Union to reexamine its policy toward Cuba, and calling on the representative of the United States to the 62d session of the United Nations Commission on Human Rights to ensure a resolution calling upon the Cuban regime to end its human rights violations; **Page 21504**

Expressing the sense of Congress that the United States Supreme Court should speedily find the use of the Pledge of Allegiance in schools to be consistent with the Constitution of the United States: H. Con. Res. 245, to express the sense of Congress that the United States Supreme Court should speedily find the use of the Pledge of Allegiance in schools to be consistent with the Constitution of the United States; and **Page 21515**

Recognizing the need to pursue research into the causes, a treatment, and an eventual cure for idiopathic pulmonary fibrosis, supporting the goals and ideals of National Idiopathic Pulmonary Fibrosis Awareness Week: H. Con. Res. 178, as amended, to recognize the need to pursue research into the causes, a treatment, and an eventual cure for idiopathic pulmonary fibrosis, supporting the goals and ideals of National Idiopathic Pulmonary Fibrosis Awareness Week. **Page 21581**

Congressional-Executive Commission on the People's Republic of China: The Chair announced the Speaker's appointment of the following members to the Congressional-Executive Commission on the People's Republic of China: Representatives Levin, Kaptur, Brown of Ohio, and Honda. **Page 21585**

Selection of Majority Leader: The Chairman of the Republican Conference, Representative Pryce of Ohio, announced the selection of Representative Blunt as the Majority Leader. **Page 21581**

Senate Message: Message received from the Senate today appears on pages 21497 and 21585.

Senate Referrals: S. 37 was referred to the Committees on Government Reform, Energy and Commerce and Armed Services and S. 1281 was held at the desk. **Page 21612**

Quorum Calls—Votes: 4 yea-and-nay votes and 1 recorded votes developed during the proceedings of today and appear on pages 21501–02 and 21580–81. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 9:53 p.m.

Committee Meetings

REVIEW NATIONAL ANIMAL IDENTIFICATION SYSTEM

Committee on Agriculture: Subcommittee on Livestock and Horticulture held a hearing to review the development of a private sector-based National Animal Identification System (NAIS). Testimony was heard from public witnesses.

HURRICANE KATRINA

Committee on Appropriations: Subcommittee on Defense held a hearing on Department of Defense (Hurricane Katrina). Testimony was heard from the following officials of the Department of Defense: LTG H. Steven Blum, USAF, Chief, National Guard Bureau; and Paul McHale, Assistant Secretary, Homeland Defense.

CORPS OF ENGINEERS—HURRICANE KATRINA

Committee on Appropriations: Subcommittee on Energy and Water Development, and Related Agencies held a hearing on Corps of Engineers (Hurricane Katrina). Testimony was heard from the following officials of the Department of the Army: LTG. Carl Strock, USA. Chief Engineers, U.S. Corps of Engineers; and John Paul Woodley, Jr., Office of the Assistant Secretary, Civil Works; and Anu Mittal, Director, Natural Resources and Environment, GAO.

THREATS IN MIDDLE EAST AND AFRICA

Committee on Armed Services: Committee Defense Review Threat Panel held a hearing on threats in Middle East and Africa. Testimony was heard from public witnesses.

GASOLINE FOR AMERICA'S SECURITY ACT

Committee on Energy and Commerce: Ordered reported, as amended, H.R. 3893, Gasoline for America's Security Act of 2005.

POST-KATRINA RELIEF AND RECOVERY—GUARD AGAINST WASTE, FRAUD, AND ABUSE

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "Guarding Against Waste, Fraud, and Abuse in Post-Katrina Relief and Recovery: The Plans of Inspectors General." Testimony was heard from Norman J. Rabkin, Managing Director, Homeland Security and Justice Issues, GAO; Gregory H. Friedman, Inspector General, Department of Energy; Richard L. Skinner, Inspector General, Department of Homeland Security; Thomas F. Gimble, Acting Inspector General, Department of Defense; the following officials of the Department of Health and Human Services: Joseph Vengren, Deputy Inspector General, Audits; and Michael Little, Deputy Inspector General, Investigations; Nikki L. Tinsley, Inspector General, EPA; Johnnie E. Frazier, Inspector General, Department of Commerce; and H. Walker Feaster III, Inspector General, FCC.

PRIVATE SECTOR/BASEL

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled "Private Sector Priorities for Basel Reform." Testimony was heard from public witnesses.

IMPACT OF REGULATION ON U.S. MANUFACTURING SPOTLIGHT ON EPA

Committee on Government Reform: Subcommittee on Regulatory Affairs held a hearing entitled "The Impact of Regulation on U.S. Manufacturing: Spotlight on the Environmental Protection Agency." Testimony was heard from Brian Mannix, Associate Administrator, Policy, Economics, and Innovation, EPA; Tom Sullivan, Chief Counsel, Office of Advocacy, SBA; and public witnesses.

SOLVING THE OTM UNDOCUMENTED ALIEN PROBLEM

Committee on Homeland Security: Subcommittee on Economic Security, Infrastructure Protection, and Cybersecurity held a hearing entitled "Solving the OTM Undocumented Alien Problem: Expedited Removal for Apprehensions along the U.S. Border." Testimony was heard from the following officials of the Department of Homeland Security: Chief David V. Aguilar, Border Patrol, U.S. Customs and Border Protection; and John Torres, Acting Director, Office of Detention and Removal Operations, Immigration and Customs Enforcement; and Daniel W. Fisk, Deputy Assistant Secretary, Bureau of Western Hemisphere Affairs, Department of State.

HOMELAND SECURITY—USE OF DOGS

Committee on Homeland Security: Subcommittee on Management, Integration, and Oversight held a hearing entitled "Sniffing Out Terrorism: The Use of Dogs in Homeland Security." Testimony was heard from the following officials of the Department of Homeland Security: Lee Titus, Director, Canine Programs, U.S. Customs and Border Protection; and David Kontny, Director, National Explosives Detection Canine Team Program, Transportation Security Administration; Special Agent Terry Bohan, Chief, National Canine Training and Operations Support Branch, Bureau of Alcohol, Tobacco, Firearms and Explosives, Department of Justice; and public witnesses.

U.N. RHETORIC OR REFORM

Committee on International Relations: Held a hearing on United Nations Rhetoric or Reform: Outcome of the High-Level Event. Testimony was heard from John R. Bolton, U.S. Permanent Representative to the United Nations, Department of State.

The Committee also held a briefing on this subject. The Committee was briefed by Mark Malloch Brown, Chief of Staff to the Secretary-General, United Nations.

RESOLUTION—SUPPORTING DEMOCRATIC POLITICAL AND SOCIAL FORCES IN NICARAGUA; HOT SPOTS IN LATIN AMERICA

Committee on International Relations: Subcommittee on Western Hemisphere approved for full Committee action H. Con. Res. 252, Expressing the sense of Congress that the Government of the United States should actively support the aspirations of the democratic political and social forces in the Republic of Nicaragua toward an immediate and full restoration of functioning democracy in that country.

The Subcommittee also held a hearing on Keeping Democracy on Track: Hotspots in Latin America. Testimony was heard from Senator Coleman; the following officials of the Department of State: Charles A. Shapiro, Principal Deputy Assistant Secretary, Bureau of Western Hemisphere Affairs; and Adolfo A. Franco, Assistant Administrator, Bureau for Latin America and the Caribbean, U.S. Agency for International Development; and public witnesses.

NATIONAL ENERGY SUPPLY DIVERSIFICATION AND DISRUPTION PREVENTION ACT

Committee on Resources: Ordered reported, as amended, the National Energy Supply Diversification and Disruption Prevention Act.

MAKING CONTINUING APPROPRIATIONS FOR THE FISCAL YEAR 2006, AND FOR OTHER PURPOSES

Committee on Rules: Granted, by voice vote, a closed rule providing one hour of debate in the House on H.J. Res. 68, joint resolution making continuing appropriations for the fiscal year 2006, and for other purposes, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the joint resolution. The rule provides one motion to recommit the joint resolution. The rule provides that suspensions will be in order at any time on the legislative day of Thursday, October 6, 2005. The rule provides that the Speaker or his designee shall consult with the Minority leader or her designee on any suspension considered under the rule. The rule provides that a motion to proceed pursuant to section 2908 of the Defense Base Closure and Realignment Act of 1990 shall be in order only if offered by the Majority Leader or his designee. Testimony was heard from Chairman Lewis of California.

THREATENED AND ENDANGERED SPECIES RECOVERY ACT OF 2005

Committee on Rules: Granted, by voice vote, a structured rule providing 90 minutes of general debate on H.R. 3824, to amend and reauthorize the Endangered Species Act of 1973 to provide greater results conserving and recovering listed species, and for other purposes, equally divided and controlled by the chairman and ranking minority member of the Committee on Resources. The rule waives all points of order against consideration of the bill. The rule provides that in lieu of the amendment recommended by the Committee on Resources now printed in the bill, the amendment in the nature of a substitute consisting of the text of the Resources Committee Print dated September 26, 2005 shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against that committee amendment in the nature of a substitute. The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. The rule provides that the amendments printed in the report may be offered only in the order printed in the report, may be offered only by a member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Pombo and Representatives Saxton, Gilchrest, Calvert, Flake, Boehlert, Kirk and George Miller of California.

WAIVING A REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO THE SAME DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE RULES COMMITTEE

Committee on Rules: Granted, by voice vote, a rule waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The rule applies the waiver to any resolution reported on the legislative day of September 29, 2005, providing for consideration or disposition of a conference report to accompany the bill (H.R. 2360) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006, and for other purposes.

OVERSIGHT—COMMERCIAL AIRLINE INDUSTRY

Committee on Transportation and Infrastructure: Subcommittee on Aviation held an oversight hearing on Current Situation and Future Outlook of the U.S. Commercial Airline Industry. Testimony was heard from public witnesses.

OVERSIGHT—STATUS OF TRANSITION BETWEEN DEFENSE AND VETERANS AFFAIRS DEPARTMENTS

Committee on Veterans' Affairs: Held an oversight hearing regarding the status of seamless transition between the Department of Defense and the Department of Veterans Affairs. Testimony was heard from the following officials of the GAO: Cynthia Bascetta, Director, Veterans Health and Benefits Issues; and Linda Koontz, Director, Information Management Issues; Gordon H. Mansfield, Deputy Secretary, Department of Veterans Affairs; the following officials of the Department of Defense: Stephen L. Jones, Principal Deputy Assistant, Office of Health Affairs, Office of Personnel and Readiness; MG Ronald G. Young, Director, National Guard Bureau Joint Staff, National Guard Bureau; and COL Sheila Hobbs, USA, Senior Patient Administrator, Office of the Surgeon General, U.S. Army; Susan McAndrew, Senior Health Information Privacy Policy Specialist, Office of Civil Rights, Department of Health and Human Services; and public witnesses.

U.S.-JAPAN ECONOMIC AND TRADE RELATIONS

Committee on Ways and Means: Held a hearing on United States-Japan Economic and Trade Relations. Testimony was heard from Representative Moran of Kansas; Wendy Cutler, Assistant U.S. Trade Representative, Japan, Korea and Asia-Pacific Economic Cooperation Affairs; David Loevinger, Deputy Assistant Secretary, Africa, Middle East, and Asia, Department of the Treasury; A. Ellen Terpstra, Administrator, Foreign Agricultural Service, USDA; A.G. Kawamura, Secretary of Agriculture, Department of Food and Agriculture, State of California; and public witnesses.

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Thursday, September 29, 2005

Senate

Chamber Action

Routine Proceedings, pages 21629–21774

Measures Introduced: Fifteen bills and three resolutions were introduced, as follows: S. 1789–1803, S. Res. 260–261, and S. Con. Res. 55. **Page 21725**

Measures Reported:

Report to accompany H.R. 2863, making appropriations for the Department of Defense for the fiscal year ending September 30, 2006. (S. Rept. No. 109–141)

S. 1803, to authorize appropriations for fiscal year 2006 for intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System. (S. Rept. No. 109–142)

S. 1725, to strengthen Federal leadership, provide grants, enhance outreach and guidance, and provide other support to State and local officials to enhance emergency communications capabilities, to achieve communications interoperability, to foster improved regional collaboration and coordination, to promote more efficient utilization of funding devoted to public safety communications, to promote research and development by both the public and private sectors for first responder communications, with amendments. **Page 21723**

Measures Passed:

Medicare Cost Sharing and Welfare Extension Act: Committee on Finance was discharged from further consideration of S. 1778, to extend medicare cost-sharing for qualifying individuals through September 2006, to extend the Temporary Assistance for Needy Families Program, transitional medical assistance under the Medicaid Program, and related programs through March 31, 2006, and the bill was then passed, after agreeing to the following amendment proposed thereto:

Grassley/Baucus Amendment No. 1894, to eliminate coverage under the Medicare and Medicaid programs for drugs when used for treatment of erectile dysfunction. **Page 21696**

Department of Defense Appropriations: Senate began consideration of H.R. 2863, making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, agreeing to the committee amendment in the nature of a substitute, which will be considered as original text for the purpose of further amendment, after taking action on the following amendments proposed thereto: **Pages 21655, 21700**

Adopted:

Harkin Amendment No. 1886, to make available emergency funds for pandemic flu preparedness. **Pages 21685, 21702**

Leahy/Bond Modified Amendment No. 1901, to appropriate $1,300,000,000 for Additional War-Related Appropriations for National Guard and Reserve Equipment for homeland security and homeland security response equipment. **Page 21700**

Durbin Amendment No. 1908, to ensure that a Federal employee who takes leave without pay in order to perform service as a member of the uniformed services or member of the National Guard shall continue to receive pay in an amount which, when taken together with the pay and allowances such individual is receiving for such service, will be no less than basic pay such individual would then be receiving if no interruption in employment had occurred. **Pages 21703**

Senate expects to continue consideration of the bill on Friday, September 30, 2005.

Nomination—Joint Referral: A unanimous-consent agreement was reached providing that the nomination of Franklin L. Lavin, of Ohio, to be Under Secretary of Commerce for International Trade, be referred jointly to the Committee on Finance and the Committee on Banking, Housing, and Urban Affairs. **Page 21774**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a notification regarding the proposed use of public safety funds provided to the District of Columbia pursuant to title I of the District of Columbia Appropriations Act, 2005, Public Law 108–335; which was referred to the Committee on Appropriations. (PM–24) **Page 21722**

Nominations Confirmed: Senate confirmed the following nomination:

By 78 yeas 22 nays (Vote No. EX. 245), John G. Roberts, Jr., of Maryland, to be Chief Justice of the United States. **Pages 21629, 21774**

Nominations Received: Senate received the following nominations:

Gigi Hyland, of Virginia, to be a Member of the National Credit Union Administration Board for a term expiring August 2, 2011.

J. Thomas Rosch, of California, to be a Federal Trade Commissioner for the term of seven years from September 26, 2005.

Margaret Spellings, of Texas, to be a Representative of the United States of America to the Thirty-third Session of the General Conference of the United Nations Educational, Scientific, and Cultural Organization.

James Hardy Payne, of Oklahoma, to be United States Circuit Judge for the Tenth Circuit. **Page 21774**

Messages From the House: **Page 21722**

Measures Read First Time: **Page 21722**

Executive Communications: **Page 21722**

Executive Reports of Committees: **Page 21723**

Additional Cosponsors: **Page 21726**

Statements on Introduced Bills/Resolutions: **Page 21727**

Additional Statements: **Page 21720**

Amendments Submitted: **Page 21764**

Authority for Committees to Meet: **Page 21733**

Privilege of the Floor: **Page 21733**

Record Votes: One record vote was taken today. (Total—245) **Page 21648**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 8:26 p.m., until 9:30 on Friday, September 30, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 21774.)

Committee Meetings

IRAQ

Committee on Armed Services: Committee concluded a hearing to examine United States military strategy and operations in Iraq, after receiving testimony from Donald H. Rumsfeld, Secretary, General Richard B. Myers, USAF, Chairman, Joint Chiefs of Staff, General John P. Abizaid, USA, Commander, U.S. Central Command, and General George W. Casey, USA, Commanding General, Multi-National Force-Iraq, all of the Department of Defense.

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported 3,979 military nominations in the Army, Navy, Air Force, and Marine Corps.

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported the nominations of Emil W. Henry, Jr., of New York, to be Assistant Secretary for Financial Institutions, and Patrick M. O'Brien, of Minnesota, to be Assistant Secretary for Terrorist Financing, both of the Department of the Treasury, Keith E. Gottfried, of California, to be General Counsel, and Kim Kendrick, of the District of Columbia, to be Assistant Secretary, Keith A. Nelson, of Texas, to be Assistant Secretary, and Darlene F. Williams, of Texas, to be Assistant Secretary, all of the Department of Housing and Urban Development, and Israel Hernandez, of Texas, to be Assistant Secretary and Director General of the United States and Foreign Commercial Service, Darryl W. Jackson, of the District of Columbia, to be Assistant Secretary, Franklin L. Lavin, of Ohio, to be Under Secretary for International Trade, and David H. McCormick, of Pennsylvania, to be Under Secretary for Export Administration, all of the Department of Commerce.

COMMUNICATIONS INTEROPERABILITY IN A DISASTER

Committee on Commerce, Science, and Transportation: Committee held a hearing to examine communications for first responders in disaster, focusing on damage wrought by Hurricane Katrina to the communications industry and the Federal Communications Commission's efforts to assist consumers, the industries the agency regulates, and other Federal Agencies during this difficult crisis, including efforts to address public safety interoperability issues, receiving testimony from Kenneth P. Moran, Director, Office of Homeland Security, Enforcement Bureau, Federal Communications Commission; David G. Boyd, Director, Office for Interoperability and Compatibility, Systems Engineering and Development, Directorate of Science and Technology, Department of Homeland Security; Dereck Orr, Program Manager, Public Safety Communications Systems, National Institute of Standards and Technology, Technology Administration, Department of

Commerce; and Willis Carter, Shreveport Fire Department, Shreveport, Louisiana, on behalf of the Association of Public-Safety Communications Officials-International.

Hearings recessed subject to the call.

TREATIES

Committee on Foreign Relations: Committee concluded a hearing to examine the Protocol of 1997 Amending MARPOL Convention (Treaty Doc. 108–7), Agreement with Canada on Pacific Hake/Whiting (Treaty Doc. 108–24), Convention Concerning Migratory Fish Stock in the Pacific Ocean (Treaty Doc. 109–1), Convention Strengthening Inter-American Tuna Commission (Treaty Doc. 109–2), and the Convention on Supplementary Compensation on Nuclear Damage (Treaty Doc. 107–21), after receiving testimony from David A. Balton, Deputy Assistant Secretary for Oceans and Fisheries, Bureau of Oceans and International Environmental and Scientific Affairs, Warren M. Stern, Senior Coordinator for Nuclear Safety, both of the Department of State; Bryan C. Wood-Thomas, Senior Advisor, Office of International Environmental Policy, Environmental Protection Agency; and James Bennett McRae, Assistant General Counsel for Civilian Nuclear Programs, Department of Energy.

U.S.-JAPAN RELATIONS

Committee on Foreign Relations: Subcommittee on East Asian and Pacific Affairs concluded a hearing to examine United States-Japan relations and future policies, after receiving testimony from Christopher R. Hill, Assistant Secretary of State for East Asian and Pacific Affairs; Richard P. Lawless, Deputy Under Secretary of Defense for Asian and Pacific Affairs; Amelia Porges, Sidley, Austin Brown & Wood LLP, Washington, D.C.; Stephen P. MacMillan, Stryker Corporation, Kalamazoo, Michigan, on behalf of the Advanced Medical Technology Association; and Gerald Curtis, Columbia University Department of Political Science, New York, New York.

DEFENSE TRAVEL SYSTEM

Committee on Homeland Security and Governmental Affairs: Permanent Subcommittee on Investigations concluded a hearing to examine the effectiveness and cost of the Defense Travel System (DTS) of the Department of Defense, focusing on whether DTS can deliver on the increased efficiency and cost savings that were anticipated when the program was established, after receiving testimony from Senator Grassley; Thomas F. Gimble, Acting Inspector General, Scott A. Comes, Director, Strategic and Information Programs Division, Program Analysis and Evaluation, and Zack E. Gaddy, Director, Defense Finance and Accounting Service, all of the Department of Defense; McCoy Williams, Director, Financial Management and Assurance, Government Accountability Office; Thomas A. Schatz, Citizens Against Government Waste, Washington, D.C.; and Robert Langsfeld, The Corporate Solutions Group, Menlo Park, California.

PROCUREMENT PROCESS

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, and International Security concluded an oversight hearing to examine certain activities of the General Services Administration, focusing on the procurement process, which includes acquisition of workspace, equipment, technology, furniture, supplies, vehicles, and professional services, after receiving testimony from Stephen A. Perry, Administrator, General Services Administration.

NOMINATIONS

Committee on Veterans Affairs: Committee concluded a hearing to examine the nominations of William F. Tuerk, of Virginia, to be Under Secretary for Memorial Affairs, who was introduced by Senator Specter, Robert Joseph Henke, of Virginia, to be Assistant Secretary for Management, John M. Molino, of Virginia, to be Assistant Secretary for Policy and Planning, Lisette M. Mondello, of Texas, to be Assistant Secretary for Public and Intergovernmental Affairs, who was introduced by Senator Hutchison, and George J. Opfer, of Virginia, to be Inspector General, all of Department of Veterans Affairs, after the nominees testified and answered questions in their own behalf.

DRUG ADVERTISING

Special Committee on Aging: Committee concluded a hearing to examine the impact of direct-to-consumer drug advertising on seniors' health and health care costs, after receiving testimony from Rachel E. Behrman, Deputy Director, Office of Medical Policy, Center for Drug Evaluation and Research, Public Health Service, Food and Drug Administration, Department of Health and Human Services; Paul Antony, Pharmaceutical Research and Manufacturers of America, Donna Sweet, American College of Physicians, and Peter Lurie, Public Citizen, all of Washington, D.C.; and Richard L. Kravitz, University of California Center for Health Services Research in Primary Care Davis Medical Center, Sacramento, California.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 29 public bills, H.R. 3938–3966; and 7 resolutions, H. Con. Res. 256–257; and H. Res. 472–473, 475–477 were introduced. **Page 21909**

Additional Cosponsors: **Page 21911**

Reports Filed: Reports were filed today as follows:

Conference Report on H.R. 2360, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006 (Rept. 109–241);

H. Res. 474, waiving points of order against the conference report to accompany the bill (H.R. 2360) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006 (Rept. 109–242); and

H.J. Res. 65, disapproving the recommendations of the Defense Base Closure and Realignment Commission, adversely (Rept. 109–243). **Page 21852, 21909**

Chaplain: The prayer was offered today by Rev. Kevin Gormley, Pastor, St. Peter Church, Marshall, Missouri. **Page 21775**

Suspensions: The House agreed to suspend the rules and pass the following measures which were debated on Wednesday, September 28:

Expressing the sense of the House of Representatives regarding the July, 2005, measures of extreme repression on the part of the Cuban Government: H. Res. 388, to express the sense of the House of Representatives regarding the July, 2005, measures of extreme repression on the part of the Cuban Government against members of Cuba's prodemocracy movement, calling for the immediate release of all political prisoners, the legalization of political parties and free elections in Cuba, urging the European Union to reexamine its policy toward Cuba, and calling on the representative of the United States to the 62d session of the United Nations Commission on Human Rights to ensure a resolution calling upon the Cuban regime to end its human rights violations, by a yea-and-nay vote of 393 yeas to 31 nays, Roll No. 503; **Page 21789**

Expressing the sense of Congress that the United States Supreme Court should speedily find the use of the Pledge of Allegiance in schools to be consistent with the Constitution of the United States: H. Con. Res. 245, to express the sense of Congress that the United States Supreme Court should speedily find the use of the Pledge of Allegiance in schools to be consistent with the Constitution of the United States, by a yea-and-nay vote of 383 yeas to 31 nays with 8 voting "present", Roll No. 504; and **Page 21790**

Recognizing the need to pursue research into the causes, a treatment, and an eventual cure for idiopathic pulmonary fibrosis, supporting the goals and ideals of National Idiopathic Pulmonary Fibrosis Awareness Week: H. Con. Res. 178, as amended, to recognize the need to pursue research into the causes, a treatment, and an eventual cure for idiopathic pulmonary fibrosis, supporting the goals and ideals of National Idiopathic Pulmonary Fibrosis Awareness Week, by a yea-and-nay vote of 401 yeas with none voting "nay", Roll No. 508. **Page 21851**

Continuing Appropriations for the Fiscal Year 2006: The House agreed to H.J. Res. 68, making continuing appropriations for the fiscal year 2006, by a yea-and-nay vote of 348 yeas to 65 nays, Roll No. 507. **Pages 21791, 21851**

Point of Order sustained against:

Obey motion that sought to recommit the bill to the Committee on Appropriations with instructions to report the resolution back to the House forthwith with amendments. **Page 21795**

H. Res. 469, the rule providing for consideration of the resolution, was agreed to by voice vote. **Page 21786**

Threatened and Endangered Species Recovery Act of 2005: The House passed H.R. 3824, to amend and reauthorize the Endangered Species Act of 1973 to provide greater results conserving and recovering listed species by a recorded vote of 229 ayes to 193 noes, Roll No. 506. **Page 21796**

Pursuant to the rule that in lieu of the amendment recommended by the Committee on Resources now printed in the bill, the amendment in the nature of a substitute consisting of the text of the Resources Committee Print dated September 26, 2005 shall be considered as an original bill for the purpose of amendment and shall be considered as read. **Page 21817**

Agreed to:

Pombo Manager's amendment (No. 1 printed in H. Rept. 109–240) that makes a number of technical changes to clarify certain provisions and address issues concerning science, definition of "jeopardy", consolidation of ESA related programs, and review of protective regulations. Allows actions authorized under an approved Section 10 permit to be carried out without duplicative consultation. The amendment prevents water stakeholders from being held accountable for impacts due to State actions. The amendment requires the four Power Marketing Administrations to include ESA costs in their monthly billings. The amendment directs the Secretary of Interior to survey certain Federal lands to assess their value for report to Congress. The amendment clarifies conflicting statutes to make ESA the governing statutory authority when receiving a dock building permit. **Page 21826**

Rejected:

George Miller of California amendment in the nature of a substitute (No. 2 printed in H. Rept. 109–240) that sought to improve the use of science, providing certainty to landowners, providing flexibility on deadlines for listing species, creating a voluntary conservation program to promote species conservation on private lands, creating a technical assistance program to help small landowners, increasing the role of State and localities, ensuring accountability of the Department of Interior, ensuring that permit and license applicants fully participate in the consultations process, and requiring a balancing of risks in planning for species recovery (by a recorded vote of 206 ayes to 216 noes, Roll No. 505). **Page 21830**

The amendment in the nature of a substitute, as amended, was adopted. **Page 21850**

H. Res. 470, the rule providing for consideration of the bill was agreed to by a yea-and-nay vote of 252 yeas to 171 nays, Roll No. 502, after agreeing to order the previous question without objection. **Pages 21777, 21789**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Thornberry to act as Speaker pro tempore to sign enrolled bills and joint resolutions through October 6, 2005. **Page 21894**

Canada—U.S. Interparliamentary Group—Appointment: The Chair announced the Speaker's appointment of the following Members of the House to the Canada—United States Interparliamentary Group: Representative Oberstar, Shaw, Slaughter, Stearns, English of Pennsylvania, Souder, Tancredo and Lipinski. **Page 21894**

Presidential Message: Read a message from the President wherein he notified Congress of the proposed use of funds for the District of Columbia as provided in title I (Public Law 108–335) under the heading "Federal Payment for Emergency Planning and Security Costs in the District of Columbia." (H. Doc. 109–58). **Page 21894**

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at 4 p.m. on Monday, October 3, and when the House adjourns on Monday, it adjourn to meet at 10 a.m. on Thursday, October 6, 2005, for Legislative Business. **Page 21907**

Senate Message: Messages received from the Senate today appear on pages 21775 and 21850.

Senate Referrals: S. 1235. was referred to the Committee on Veteran Affairs; S. 1786 was referred to the Committee on Transportation and Infrastructure; and S. 1778 was referred to the Committees on Energy and Commerce and Ways and Means. **Page 21907**

Quorum Calls—Votes: Five yea-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages 21789–91, and 21849–52. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 7:42 p.m.

Committee Meetings

FEDERAL AGRICULTURE POLICY

Committee on Agriculture: Subcommittee on General Farm Commodities and Risk Management held a hearing to review the current state of the farm economy and the economic impact of Federal policy on agriculture. Testimony was heard from Keith Collins, Chief Economist, USDA, and Chairman, Federal Crop Insurance Corporation; Howard Gruenspecht, Deputy Administrator, Energy Information Administration, Department of Energy; and public witnesses.

OPERATIONS IN IRAQ

Committee on Armed Services: Held a hearing on operations in Iraq. Testimony was heard from the following officials of the Department of Defense: Donald H. Rumsfeld, Secretary; GEN Richard B. Myers, USAF, Chairman, Joint Chiefs of Staff; GEN John Abizaid, USA, Commander, U.S. Central Command; and GEN George W. Casey, Jr., USA, Commanding General, Multi-National Force—Iraq.

UNDERSTANDING THE IRAN THREAT

Committee on Armed Services: Subcommittee on Terrorism, Unconventional Threats and Capabilities held a hearing on understanding the Iran threat. Testimony was heard from public witnesses.

CLOSING THE GAP IN AMERICA'S SCHOOLS: THE NO CHILD LEFT BEHIND ACT

Committee on Education and the Workforce: Held a hearing entitled "Closing the Achievement Gap in America's Schools: The No Child Left Behind Act." Testimony was heard from Margaret Spellings, Secretary of Education; Deborah Jewell-Sherman, Superintendent, Richmond Public Schools, Richmond, Virginia; and a public witness.

HURRICANE KATRINA—ENVIRONMENTAL STATUS

Committee on Energy and Commerce:. Subcommittee on Environment and Hazardous Materials held a hearing entitled "Hurricane Katrina: Assessing the Present Environmental Status." Testimony was heard from Marcus C. Peacock, Deputy Administrator, EPA; LTG Carl A. Strock, USA, Chief of Engineers, and Commander, U.S. Corps of Engineers; Henry Falk, M.D., Director, National Center for Environmental Health and Agency for Toxic Substances and Disease Registry, Centers for Disease Control and Prevention, Department of Health and Human Services; Karen Gautreaux, Deputy Secretary, Department of Environmental Quality, State of Louisiana; and public witnesses.

DISASTER PUBLIC SAFETY COMMUNICATIONS

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held a hearing entitled "Public Safety Communications from 9/11 to Katrina: Critical Public Policy Lessons." Testimony was heard from Kevin J. Martin, Chairman, FCC; David G. Boyd, Director, SAFECOM Program Office, Science and Technology Directorate, Department of Homeland Security; Vance Hitch, Chief Information Officer, Department of Justice; and public witnesses.

MORTGAGE INDUSTRY LICENSING/ REGISTRATION

Committee on Financial Services: Subcommittee on Housing and Community Opportunity held a hearing entitled "Licensing and Registration in the Mortgage Industry." Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Government Reform: Ordered reported the following measures: H.R. 1317, amended, Federal Employee Protection of Disclosures Act; H.R. 3699, amended, Federal and District of Columbia Government Real Property Act of 2005; H. Res. 15, Supporting the goals and ideals of National Campus Safety Awareness Month; H. Res. 276, Supporting the goals and ideals of Pancreatic Cancer Awareness Month; H.R. 3549, To designate the facility of the United States Postal Service located at 210 West 3rd Avenue in Warren, Pennsylvania, as the "William F. Clinger, Jr. Post Office Building"; H.R. 3830, To designate the facility of the United States Postal Service located at 130 Marion Avenue in Punta Gorda, Florida, as the "U.S. Cleveland Post Office Building"; H.R. 3853, To designate the facility of the United States Postal Service located at 208 South Main Street in Parkdale, Arkansas, as the "Willie Vaughn Post Office"; H.R. 923, amended, Mailing Support to Troops Act of 2005; and H. Res. 389, Supporting the goals of The Year of the Museum.

INFORMATION TECHNOLOGY/HEALTH CARE

Committee on Government Reform: Held a hearing entitled "The Last Frontier: Bringing the IT revolution in Healthcare." Testimony was heard from David J. Brailer, M.D., National Coordinator, Health Information Technology, Department of Health and Human Services; Robert M. Kolodner, M.D., Chief Health Informatics Officer, Veterans Health Administration, Department of Veterans Affairs; David Powner, Director, Information Technology Management Issues, GAO; and public witnesses.

DISASTER PREPAREDNESS/COORDINATION

Committee on Homeland Security: Subcommittee on Emergency Preparedness, Science, and Technology held a hearing entitled "Incident Command, Control, and Communications during Catastrophic Events." Testimony was heard from public witnesses.

EVOLVING COUNTERTERRORISM STRATEGY

Committee on International Relations: Subcommittee on International Terrorism and Nonproliferation held a hearing on Evolving Counterterrorism Strategy. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Ordered reported the following bills: H.R. 3648, amended, To impose additional fees with respect to immigration services for intracompany transferees; H.R. 1065, as amended, without recommendation, United States Boxing Commission Act; H.R. 3647, amended, To render nationals of Denmark eligible to enter the United States as nonimmigrant traders and investors; and H.R. 1400, amended, Securing Aircraft Cockpits Against Lasers Act of 2005.

FOREIGN INFLUENCE/U.S. CONSTITUTION

Committee on the Judiciary: Subcommittee on the Constitution approved for full Committee action H. Res. 97, Expressing the sense of the House of Representatives that judicial determinations regarding the meaning of the Constitution of the United States should not be based on judgments, laws, of pronouncements of foreign institutions unless such foreign judgments, laws or pronouncements inform an understanding of the original meaning of the Constitution of the United States.

DUAL/BIRTHRIGHT CITIZENSHIP

Committee on the Judiciary: Subcommittee on Immigration, Border Security, and Claims held an oversight hearing entitled "Dual Citizenship, Birthright Citizenship, and the Meaning of Sovereignty." Testimony was heard from public witnesses.

MARINE DEBRIS RESEARCH, PREVENTION, AND REDUCTION ACT

Committee on Resources: Subcommittee on Fisheries and Oceans and the Subcommittee on Coast Guard and Maritime Transportation of the Committee on Transportation and Infrastructure held a joint hearing on S. 362, Marine Debris Research, Prevention, and Reduction Act. Testimony was heard from Timothy R.E. Keeney, Deputy Assistant Secretary, Oceans and Atmosphere, NOAA, Department of Commerce; RADM Tom Gilmour, USCG, Assistant Commandant, Marine Safety and Environmental Protection, U.S. Coast Guard, Department of Homeland Security; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on National Parks held a hearing on the following bills: H.R. 326, To amend the Yuma Crossing National Heritage Area Act of 2000 to adjust the boundary of the Yuma Crossing National Heritage Area and to extend the authority of the Secretary of the Interior to provide assistance under that Act; H.R. 1436, To remove certain use restrictions on property located in Navajo County, Arizona; and H.R. 1972, Franklin National Battlefield Study Act. Testimony was heard from Representative Blackburn; Sue Masica, Associate Director, Park Planning, Facilities and Lands, National Park Service, Department of the Interior; and public witnesses.

CONFERENCE REPORT—DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 2360, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006, and for other purposes, and against its consideration. The rule provides that the conference report shall be considered as read.

ENTREPRENEUR SOLDIERS EMPOWERMENT ACT

Committee on Small Business: Subcommittee on Regulatory Reform and Oversight held a hearing to discuss the Entrepreneur Soldiers Empowerment Act (ESEA). Testimony was heard from Bill Elmore, Office of Veterans Affairs, SBA; John Winkler, Manpower and Personnel, Office of the Secretary, Department of Defense; Douglas Holtz-Eakin, Director, CBO.

PEST MANAGEMENT AND FIRE SUPPRESSION FLEXIBILITY ACT

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment held a hearing on H.R. 1749, Pest Management and Fire Suppression Flexibility Act. Testimony was heard from Representatives Otter and Cardoza; Benjamin H. Grumbles, Assistant Administrator, Water, EPA; and public witnesses.

U.S.-BAHRAIN FREE TRADE

Committee on Ways and Means: Held a hearing on the Implementation of the United States-Bahrain Free Trade Agreement. Testimony was heard from Shaun Donnelly, Assistant U.S. Trade Representative, Europe and the Mediterranean; and public witnesses.

MEDICARE VALUE-BASED PURCHASING FOR PHYSICIANS' SERVICES ACT

Committee on Ways and Means: Subcommittee on Health held a hearing on H.R. 3617, Medicare Value-Based Purchasing for Physicians' Services Act of 2005. Testimony was heard from Mark McClellan, M.D., Administrator, Centers for Medicare and Medicaid Services, Department of Health and Human Services; and public witnesses.

Joint Meetings

HOMELAND SECURITY APPROPRIATIONS ACT

Conferees agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 2360, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006.

Friday, September 30, 2005

Senate

Chamber Action

Routine Proceedings, pages 21934–73

Measures Introduced: Five bills and two resolutions were introduced, as follows: S. 1804–1808, S. Res. 262, and S. Con. Res. 56. **Page 21958**

Measures Passed:

Continuing Resolution: Senate passed H.J. Res. 68, making continuing appropriations for the fiscal year 2006, clearing the measure for the President, after taking action on the following amendment proposed thereto: **Page 21934**

Rejected:

By 39 yeas to 53 nays (Vote No. 246), Harkin Amendment No. 1921, to continue funding for the Community Services Block Grant at no less than last year's level. **Page 21934**

Natural Disaster Student Aid Fairness Act: Senate passed H.R. 3863, to provide the Secretary of Education with waiver authority for the reallocation rules in the Campus-Based Aid programs, and to extend the deadline by which funds have to be reallocated to institutions of higher education due to a natural disaster, clearing the measure for the President. **Page 21971**

Department of Defense Appropriations: Senate continued consideration of H.R. 2863, making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, taking action on the following amendments proposed thereto: **Pages 21941, 21942**

Adopted:

Stevens Amendment No. 1922, to provide funding for the Community Services Block Grant program. **Page 21941**

Salazar Amendment No. 1903, to provide that certain local educational agencies shall be eligible to receive a fiscal year 2005 payment under section 8002 or 8003 of the Elementary and Secondary Education Act of 1965. **Page 21942**

A unanimous-consent agreement was reached providing for further consideration of the bill at 3 p.m. on Monday, October 3, 2005. **Page 21971**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that during this adjournment of the Senate, the Majority Leader and Senator Sessions, be authorized to sign duly enrolled bills or joint resolutions. **Page 21971**

Nominations Confirmed: Senate confirmed the following nominations:

Margaret Spellings, of Texas, to be a Representative of the United States of America to the Thirty-third Session of the General Conference of the United Nations Educational, Scientific, and Cultural Organization. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

46 Air Force nominations in the rank of general.

11 Army nominations in the rank of general.

Routine lists in the Air Force, Army, Marine Corps, Navy. **Pages 21969, 21972**

Messages From the House: **Page 21957**

Measures Referred: **Page 21958**

Measures Placed on Calendar: **Page 21958**

Enrolled Bills Presented: **Page 21958**

Additional Cosponsors: **Page 21958**

Statements on Introduced Bills/Resolutions: **Page 21959**

Amendments Submitted: **Page 21968**

Authority for Committees to Meet: **Page 21969**

Privilege of the Floor: **Page 21969**

Record Votes: One record vote was taken today. (Total—246) **Page 21939**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 3:04 p.m., until 3 p.m., on Monday, October 3, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 21971.)

Committee Meetings

NOMINATIONS:

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations: of John Hillen, of Virginia, to be Assistant Secretary for Political-Military Affairs, who was introduced by Senator Allen, Barry F. Lowenkron, of Virginia, to be Assistant Secretary for Democracy, Human Rights, and Labor, both of the Department of State, and Kent R. Hill, of Virginia, and Jacqueline Ellen Schafer, of the District of Columbia, both to be Assistant Administrator, United States Agency for International Development, after the nominees testified and answered questions in their own behalf.

NOMINATIONS:

Committee on the Judiciary: on Thursday, September 29, Committee concluded a hearing to examine the nominations of Margaret Mary Sweeney, of Virginia, and Thomas Craig Wheeler, of Maryland, each to be a Judge of the United States Court of Federal Claims, John Richard Smoak, to be United States District Judge for the Northern District of Florida, who was introduced by Senator Nelson (FL), Brian Edward Sandoval, to be United States District Judge for the District of Nevada, who was introduced by Senators Reid and Ensign, and Harry Sandlin Mattice, Jr., to be United States District Judge for the Eastern District of Tennessee, who was introduced by Senators Frist and Alexander, after the nominees testified and answered questions in their own behalf.

House of Representatives

Chamber Action

The House was not in session today. It will meet at 4 p.m. on Monday, October 3 in pro forma session and at 10 a.m. on Thursday, October 6 for legislative business.

Committee Meetings

No committee meetings were held.

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Monday, October 3, 2005

Senate

Chamber Action

Routine Proceedings, pages 21978–22080

Measures Introduced: Six bills and one resolution were introduced, as followed: S. 1809–1814, and S. Res. 263. **Page 21988**

Measures Passed:

Commending Department of Veterans Affairs: Senate agreed to S. Res. 263, commending the efforts of the Department of Veterans Affairs in responding to Hurricane Katrina. **Page 22080**

Department of Defense Appropriations: Senate resumed consideration of H.R. 2863, making appropriations for the Department of Defense for the fiscal year ending September 30, 2006. **Page 21979**

A unanimous-consent agreement was reached providing that all first-degree amendments to the bill be filed at the desk no later than 10:30 a.m., on Tuesday, October 4, 2005, and that all first degree amendments be subject to relevant second-degree amendments. **Page 22080**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:45 a.m. on Tuesday, October 4, 2005. **Page 22080**

Messages From the House: **Page 21986**

Executive Communications: **Page 21986**

Additional Cosponsors: **Page 21988**

Statements on Introduced Bills/Resolutions: **Page 21989**

Additional Statements: Page 21985

Amendments Submitted: Page 21993

Privilege of the Floor: Page 22080

Adjournment: Senate convened at 3 p.m., and adjourned at 4:58 p.m., until 9:45 a.m., on Tuesday, October 4, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on pages 22080.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 1 public bill, H.R. 3967; and 2 resolutions, H. Con. Res. 258; and H. Res. 478, were introduced. Page 21977

Additional Cosponsors: Page 21977

Reports Filed: Reports were filed as follows:

H.R. 1065, to establish the United States Boxing Commission to protect the general welfare of boxers and to ensure fairness in the sport of professional boxing, with an amendment (H. Rept. 109–209, Pt. 2) (Filed on September 30, 2005). Page 21977

Speaker: Read a letter from the Speaker wherein he appointed Representative Davis of Virginia to act as Speaker pro tempore for today. Page 21974

United States Holocaust Memorial Council: The Chair announced the Speaker's appointment of Representatives LaTourette, Cannon, and Cantor to the United States Holocaust Memorial Council. Page 21974

President's Export Council: The Chair announced the Speaker's appointment of Representatives English, Pickering, and Hayes to the President's Export Council. Page 21974

Message from the Clerk: Read a letter from the Clerk wherein he notified the House that he received messages from the Senate on Friday, September 30, 2005. Page 21974

Speaker: Read a letter from the Speaker wherein he appointed Representative Davis of Virginia to act as Speaker pro tempore to sign enrolled bills and joint resolutions on this day. Page 21974

Quorum Calls—Votes: There were no yea-and-nay votes, and there were no recorded votes. There were no quorum calls.

Adjournment: The House met at 4 p.m. and adjourned at 4:05 p.m.

Committee Meetings

No committee meetings were held.

Résumé of Congressional Activity

FIRST SESSION OF THE ONE HUNDRED NINTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 4 through September 30, 2005

	Senate	*House*	*Total*
Days in session	119	103	..
Time in session	901 hrs., 59′	766 hrs., 51′	..
Congressional Record:			
Pages of proceedings	10,811	8,644	..
Extensions of Remarks	..	2,002	..
Public bills enacted into law	19	58	77
Private bills enacted into law	..	..	..
Bills in conference	6	7	..
Measures passed, total	401	465	866
Senate bills	110	20	..
House bills	68	179	..
Senate joint resolutions	2	1	..
House joint resolutions	4	9	..
Senate concurrent resolutions	16	9	..
House concurrent resolutions	27	63	..
Simple resolutions	174	184	..
Measures reported, total	*181	*230	411
Senate bills	144	2	..
House bills	15	126	..
Senate joint resolutions	2	..	..
House joint resolutions	..	3	..
Senate concurrent resolutions	1	..	..
House concurrent resolutions	..	5	..
Simple resolutions	19	94	..
Special reports	11	6	..
Conference reports	..	7	..
Measures pending on calendar	139	70	..
Measures introduced, total	2,144	4,768	6,912
Bills	1,801	3,966	..
Joint resolutions	27	68	..
Concurrent resolutions	56	257	..
Simple resolutions	260	477	..
Quorum calls	3	1	..
Yea-and-nay votes	246	241	..
Recorded votes	..	266	..
Bills vetoed	..	..	..
Vetoes overridden	..	..	..

*These figures include all measures reported, even if there was no accompanying report. A total of 142 reports have been filed in the Senate, a total of 243 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 4 through September 30, 2005

Civilian nominations, totaling 411, disposed of as follows:

Confirmed	198
Unconfirmed	204
Withdrawn	7
Returned to White House	2

Other Civilian nominations, totaling 1,730, disposed of as follows:

Confirmed	1,139
Unconfirmed	591

Air Force nominations, totaling 8,356, disposed of as follows:

Confirmed	5,931
Unconfirmed	2,425

Army nominations, totaling 6,584, disposed of as follows:

Confirmed	6,537
Unconfirmed	47

Navy nominations, totaling 4,105, disposed of as follows:

Confirmed	4,100
Unconfirmed	5

Marine Corps nominations, totaling 1,302, disposed of as follows:

Confirmed	1,300
Unconfirmed	2

Summary

Total nominations carried over from the first session	0
Total nominations received this session	22,488
Total confirmed	19,205
Total unconfirmed	3,274
Total withdrawn	7
Total returned to the White House	2

Tuesday, October 4, 2005

Senate

Chamber Action

Routine Proceedings, pages 22085–22234

Measures Introduced: Five bills and one resolution were introduced, as follows: S. 1815–1819, and S. Res. 264. **Page 22146**

Measures Passed:

Expressing Sympathy to the People of Indonesia: Senate agreed to S. Res. 264, expressing sympathy for the people of Indonesia in the aftermath of the deadly terrorist attacks in Bali on October 1, 2005. **Page 22173**

Violence Against Women Act: Senate passed S. 1197, to reauthorize the Violence Against Women Act of 1994, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Page 22173**

Frist (for Specter) Amendment No. 2045, to make certain technical corrections. **Page 22233**

Tuskegee Airmen Gold Medal Authorization: Committee on Banking, Housing, and Urban Affairs was discharged from further consideration of S. 392, to authorize the President to award a gold medal on behalf of Congress, collectively, to the Tuskegee Airmen in recognition of their unique military record, which inspired revolutionary reform in the Armed Forces, and the bill was then passed. **Page 22233**

Department of Defense Appropriations: Senate continued consideration of H.R. 2863, making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, taking action on the following amendments proposed thereto: **Page 22087**

Pending:

Bayh Amendment No. 1933, to increase by $360,800,000 amounts appropriated by title IX for Other Procurement, Army, for the procurement of armored Tactical Wheeled Vehicles for units deployed in Iraq and Afghanistan, and to increase by $5,000,000 amounts appropriated by title IX for Research, Development, Test and Evaluation, Defense-Wide, for industrial preparedness for the implementation of a ballistics engineering research center. **Page 22089**

McCain Amendment No. 1978, to prohibit the use of funds to pay salaries and expenses and other costs associated with reimbursing the Government of Uzbekistan for services rendered to the United States at Karshi-Khanabad airbase in Uzbekistan. **Page 22090**

Reed/Hagel Amendment No. 1943, to transfer certain amounts from the supplemental authorizations of appropriations for Iraq, Afghanistan, and the Global War on Terrorism to amounts for Operation and Maintenance, Army, Operation and Maintenance, Marine Corps, Operation and Maintenance, Defense-wide activities, and Military Personnel in order to provide for increased personnel strengths for the Army and the Marine Corps for fiscal year 2006. **Page 22097**

Warner/Levin Modified Amendment No. 1955, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces. **Page 22100**

Subsequently, Senator Stevens raised a point of order against the amendment, as being in violation of Rule XVI of the Standing Rules of the Senate which prohibits legislation on an appropriations bill; following which, Senator Warner asserted the defense of germaneness relative to the amendment. **Page 22141**

A motion was entered to close further debate on the bill and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, October 6, 2005. **Page 22141**

A unanimous-consent agreement was reached providing that Warner/Levin Modified Amendment No. 1955 (listed above) and the related point of order (listed above) be set aside temporarily to reoccur at 7:30 p.m. on Wednesday, October 5, 2005. **Page 22141**

A unanimous-consent agreement was reached providing for further consideration of the bill at 10 a.m. on Wednesday, October 5, 2005. **Page 22234**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report entitled "Continued Production of the Naval Petroleum Reserves Beyond April 5, 2006"; which was referred to the Committee on Armed Services. (PM–25) **Page 22146**

Additional Cosponsors: **Page 22146**

Statements on Introduced Bills/Resolutions: **Page 22148**

Amendments Submitted: **Page 22151**

Adjournment: Senate convened at 9:45 a.m., and adjourned at 6:36 p.m., until 10 a.m., on Wednesday, October 5, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 22234.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. The House will meet at 10 a.m. on Thursday, October 6 for Legislative Business.

Committee Meetings

No committee meetings were held.

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Wednesday, October 5, 2005

Senate

Chamber Action

Routine Proceedings, pages 22235–22352

Measures Introduced: Six bills and three resolutions were introduced, as follows: S. 1820–1825, and S. Res. 265–267. **Page 22308**

Measures Passed:

Family History Month: Senate agreed to S. Res. 266, designating the month of October 2005, as "Family History Month". **Page 22345**

Senate Legal Representation: Senate agreed to S. Res. 267, to authorize testimony document production, and legal representation in State of New Hampshire v. Anne Miller, Mary Lee Sargent, Jessica Ellis, Lynn Chong, Donald Booth, Eileen Reardon. **Page 22346**

Department of Defense Appropriations: Senate continued consideration of H.R. 2863, making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, taking action on the following amendments proposed thereto: **Page 22237**

Adopted:

Stevens (for Mikulski) Amendment No. 1996, to provide that, of the amount made available under title III for the Navy for other procurement, up to $3,000,000 may be made available for the Joint Aviation Technical Data Integration Program. **Page 22253**

Stevens (for Salazar) Amendment No. 1887, to rename the death gratuity payable for deaths of members of the Armed Forces as fallen hero compensation. **Page 22253**

Stevens (for Bingaman/Domenici) Amendment No. 1895, to make available up to $3,000,000 from Research, Development, Test, and Evaluation, Air Force, for assurance for the Field Programmable Gate Array. **Pages 22254, 22264**

Stevens (for Bennett) Amendment No. 2017, to make available, from amounts appropriated for the Research, Development, Test, and Evaluation, Army account up to $1,000,000 for the Chemical Biological Defense Material Test and Evaluation Initiative (PE 0605602A). **Pages 22254, 22264**

Stevens (for Isakson) Amendment No. 1925, to provide that, of the amount made available under title IV for the Army for research, development, test, and evaluation, up to $1,000,000 may be made available for an environmental management and compliance information system. **Page 22254**

Stevens (for Santorum) Modified Amendment No. 1889, to provide that, of the amount made available for research, development, test and evaluation for the Army, up to $2,000,000 may be made available for medical advanced technology for applied emergency hypothermia for advanced combat casualty life support. **Page 22254**

Byrd/Feingold Amendment No. 1992, to express the sense of the Senate on budgeting for ongoing military operations in Iraq, Afghanistan, and elsewhere overseas. **Page 22255**

Dodd Amendment No. 1970, to improve the authority for reimbursement for protective, safety, and health equipment purchased for members of the Armed Forces deployed in Iraq and Central Asia. **Page 22262**

Inouye (for Lautenberg) Amendment No. 1963, to require the Secretary of Defense to maintain a website listing information on Federal contractor misconduct, and to require reports on Federal no-bid contracts related to Iraq reconstruction. **Page 22272**

Stevens (for Shelby) Amendment No. 2016, to prohibit the transfer from the Army of authority relating to the tactical unmanned aerial vehicles. **Page 22272**

Stevens (for Nelson (FL)) Amendment No. 1914, to make available, from the amount appropriated in title III under the heading "Other Procurement, Navy" up to $2,000,000 may be used for the Surface Sonar Dome Window Program. **Page 22278**

Stevens (for Dodd/Lieberman) Amendment No. 1972, to make available $700,000 from Research, Development, Test, and Evaluation, Army for Medical Countermeasures to Nerve Agents. **Page 22278**

Stevens (for Lieberman) Amendment No. 1962, to make available $5,000,000 from Research, Development, Test, and Evaluation, Defense-Wide, for High Performance Defense Manufacturing Technology Research and Development. **Page 22278**

Stevens (for Chambliss) Modified Amendment No. 1979, to provide that, of the amount made available under title II for Operation and Maintenance, Army, up to $600,000 may be made available for removal of unexploded ordnance at Camp Wheeler, Georgia. **Page 22278**

Stevens (for Lott) Amendment No. 1976, to make available $4,000,000 from Research, Development, Test, and Evaluation, Army, for the development of lightweight rigid-rod ammunition. **Page 22278**

Stevens (for Roberts) Amendment No. 1945, to make available, from the amount appropriated in title VII under the heading "Intelligence Community Management Account", up to $2,000,000 may be used for the Pat Roberts Intelligence Scholars Program. **Page 22278**

Stevens (for Grassley) Amendment No. 2002, to make available $1,000,000 from Research, Development, Test, and Evaluation for the Army for the Multipurpose Utility Vehicle. **Page 22284**

Stevens (for Voinovich) Modified Amendment No. 1986, of the amounts provided for the Navy for research, development, test, and evaluation up to $3,000,000 may be available for land attack technology for the Millennium Gun System. **Page 22284**

Stevens (for Graham) Amendment No. 2028, to make available $2,000,000 from Research, Development, Test, and Evaluation for the Army for Moldable Armor. **Page 22284**

Stevens (for Feingold/Coleman) Modified Amendment No. 1906, to provide for the establishment of a pilot project to create a civilian language reserve corps in order to improve national security by increasing the availability of translation services and related duties. **Page 22284**

Stevens (for Akaka) Modified Amendment No. 1899, to make available up to $5,000,000 for the participation of Vet centers in the transition assistance programs of the Department of Defense for members of the Armed Forces. **Page 22284**

Stevens (for Cantwell) Amendment No. 2008, to make available, from funds appropriated for research, development, test and evaluation, Air Force, up to $2,500,000 for advanced technology for IRCM component improvement. **Page 22284**

Stevens (for Allen) Modified Amendment No. 1989, from funds appropriated for research, development, test and evaluation, Army, and available for demonstration and validation, up to $5,000,000 may be available for the Plasma Energy Pyrolysis System (PEPS), Operational Gasification unit. **Page 22285**

Stevens (for Snowe) Modified Amendment No. 1911, to provide that, of the amount authorized to be appropriated for the use of the Department of Defense for research, development, test, and evaluation for Defense-wide activities, up to $5,000,000 may be available for the rapid mobilization of the New England Manufacturing Supply Chain Initiative. **Page 22285**

Stevens (for Kerry/Kennedy) Modified Amendment No. 2027, to provide that, of the amount made available under title IV for the Navy for research, development, test, and evaluation, up to $1,000,000 may be made available for Marine Corps assault vehicles for development of carbon fabric-based friction materials to optimize the cross-drive transmission brake system of the Expeditionary Fighting Vehicle. **Page 22285**

Stevens (for Reed) Amendment No. 2010, to make available $2,000,000 from Research, Development, Test, and Evaluation for the Navy for the Shipboard Automated Reconstruction Capability. **Page 22285**

Stevens (for Cornyn) Modified Amendment No. 1947, from amounts available in Title IV under the heading Research, Development, Test and Evaluation, Army, up to $1,000,000 may be available for Recombinant Activated Factor VII. **Page 22285**

Stevens (for Talent) Modified Amendment No. 2030, to provide for the procurement of 42 additional C–17 aircraft. **Page 22285**

Stevens (for Boxer) Amendment No. 2012, to provide for a Department of Defense task force on mental health. **Page 22285**

Stevens (for Kennedy) Modified Amendment No. 1991, to make available additional amounts for defense basic research programs. **Pages 22286, 22287**

Stevens (for Murray) Modified Amendment No. 1964, to provide for studies of means of improving the transition assistance services of the Department of Defense and other benefits for members of the National Guard and the Reserves. **Page 22286**

Stevens (for Coburn) Amendment No. 1948, to require that any limitation, directive, or ear-marking contained in either the House of Representatives or Senate report accompanying this bill be included in the conference report or joint statement accompanying the bill in order to be considered as having been approved by both Houses of Congress. **Page 22286**

Stevens (for Alexander) Modified Amendment No. 2029, to require a report on the use of ground source heat pumps at Department of Defense facilities. **Page 22286**

Stevens (for Warner) Modified Amendment No. 1927, to make available up to $1,500,000 for the Navy for research, development, test, and evaluation, to be available for research within the High-Brightness Electron Source program. **Page 22287**

By 90 yeas to 9 nays (Vote No. 249), McCain Amendment No. 1977, relating to persons under the detention, custody, or control of the United States Government. **Pages 22237, 22251, 22271, 22291**

McCain Amendment No. 1978, to prohibit the use of funds to pay salaries and expenses and other costs associated with reimbursing the Government of Uzbekistan for services rendered to the United States at Karshi-Khanabad airbase in Uzbekistan. **Page 22292**

Stevens (for Hatch) Amendment No. 2001, to express the sense of the Senate regarding the investment of funds as called for in the Depot Maintenance Strategy and Master Plan of the Air Force. **Page 22297**

Stevens (for Schumer/Clinton) Modified Amendment No. 2038, to make available $5,000,000 from Procurement of Weapons and Tracked Combat Vehicles for the Army for the Arsenal Support Program Initiative and to allocate such amounts. **Page 22296**

Stevens (for Kennedy/Bond) Amendment No. 1923, to make available $4,000,000 from Research, Development, Test, and Evaluation, Defense-Wide, for Oral Anthrax/Plague Vaccine Development. **Page 22296**

Stevens (for Sarbanes) Modified Amendment No. 1969, to authorize the Secretary of the Navy to donate the World War II-era marine railway located at the United States Naval Academy to the Richardson Maritime Heritage Center, Cambridge, Maryland, for non-commercial purposes. **Page 22297**

Stevens (for McConnell) Amendment No. 2042, to recognize U.S. military personnel serving in Afghanistan and Iraq. **Page 22297**

Landrieu Modified Amendment No. 1942, to make available $10,000,000 for Operation and Maintenance, Air Force, and $20,000,000 for Other Procurement, Air Force, for the implementation of long-range wireless telecommunication capabilities for the Gulf States and key entities within the Northern Command Area of Responsibility. **Pages 22272, 22296**

Stevens (for Graham/McCain) Modified Amendment No. 2004, to require the President to submit the procedures for the Combatant Status Review Tribunals and Administrative Review Boards to determine the status of detainees held at Guantanamo Bay, Cuba. **Pages 22248, 22279, 22297**

Stevens (for Conrad/Dorgan) Modified Amendment No. 1882, to increase, with an offset, amounts available for the procurement of Predator unmanned aerial vehicles. **Page 22296**

Pending:

Reed/Hagel Amendment No. 1943, to transfer certain amounts from the supplemental authorizations of appropriations for Iraq, Afghanistan, and the Global War on Terrorism to amounts for Operation and Maintenance, Army, Operation and Maintenance, Marine Corps, Operation and Maintenance, Defense-wide activities, and Military Personnel in order to provide for increased personnel strengths for the Army and the Marine Corps for fiscal year 2006. **Page 22237**

Coburn Amendment No. 2005, to curtail waste under the Department of Defense web-based travel system. **Page 22258**

During consideration of this measure today, Senate also took the following action:

By 49 yeas to 50 nays (Vote No. 247), Senate rejected the defense of germaneness relative to Warner/Levin Modified Amendment No. 1955, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces. Subsequently, the amendment fell. **Pages 22265, 22287**

By 56 yeas to 43 nays (Vote No. 248), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Bayh Amendment No. 1933, to increase by $360,800,000 amounts appropriated by title IX for Other Procurement, Army, for the procurement of armored Tactical Wheeled Vehicles for units deployed in Iraq and Afghanistan, and to increase by $5,000,000 amounts appropriated by title IX for Research, Development, Test and Evaluation, Defense-Wide, for industrial preparedness for the implementation of a ballistics engineering research center. Subsequently, the point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974, was sustained, and the amendment thus fell. **Page 22290**

By 50 yeas to 49 nays (Vote No. 250), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 402 of H. Con. Res. 95, Congressional Budget Resolution, with respect to the emergency designation provision in Kerry Amendment No. 2033, to provide for appropriations for the Low-Income Home Energy Assistance Program. Subsequently, a point of order that the emergency designation provision would violate section 402 of H. Con. Res. 95 was sustained and the provision was stricken. Also, the Chair sustained a point order that the amendment violated section 302(f) of the Congressional Budget Act of 1974 as altered by the previous point of order and the amendment thus fell. **Page 22293**

By 48 yeas to 51 nays (Vote No. 251), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Stabenow Amendment No. 1937, to ensure that future funding for health care for former members of the Armed Forces takes into account changes in population and inflation. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell. **Page 22295**

By 94 yeas to 4 nays (Vote No. 252), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the bill. **Page 22296**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m. on Thursday, October 6, 2005; and that, notwithstanding the adjournment of the Senate, all time overnight be counted against the 30 hours post cloture. **Page 22346**

Appointments:

United States-China Economic Security and Review Commission: The Chair, on behalf of the President pro tempore, pursuant to Public Law 106–398, as amended by Public Law 108–7, in accordance with the qualifications specified under section 1238(b)(3)(E) of Public Law 106–398, and upon the recommendation of the Democratic Leader, in consultation with the chairmen of the Senate Committee on Armed Services and the Senate Committee on Finance, reappointed the following individuals to the United States-China Economic Security and Review Commission: C. Richard D'Amato of Maryland for a term beginning January 1, 2006 and expiring December 31, 2007, and William A. Reinsch of Maryland for a term beginning January 1, 2006 and expiring December 31, 2007. **Page 22345**

Executive Communications: **Page 22304**

Executive Reports of Committees: **Page 22306**

Additional Cosponsors: **Page 22308**

Statements on Introduced Bills/Resolutions: **Page 22310**

Additional Statements: **Page 22302**

Amendments Submitted: **Page 22322**

Notices of Hearings/Meetings: **Page 22344**

Authority for Committees to Meet: **Page 22344**

Privilege of the Floor: **Page 22345**

Record Votes: Six record votes were taken today. (Total—252) **Pages 22290–92, 22294–96**

Adjournment: Senate convened at 10:01 a.m., and adjourned at 11:33 p.m., until 9:30 a.m., on Thursday, October 6, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 22346.)

Committee Meetings

SPYWARE

Committee on Commerce, Science, and Transportation: Subcommittee on Trade, Tourism, and Economic Development concluded a hearing to examine the impact of spyware that is downloaded without authorization on consumers and the Internet as a medium of communication and commerce, and Federal efforts to protect consumers from this problem, after receiving testimony from Deborah Platt Majoras, Chairman, Federal Trade Commission.

KYOTO PROTOCOL: GREENHOUSE GASES

Committee on Environment and Public Works: Committee concluded a hearing to examine the status of efforts to reduce greenhouse gases relating to the Kyoto Protocol, which is an amendment to the United Nations Framework Convention on Climate Change (UNFCCC) requiring countries which ratify this protocol to commit to reduce their emissions of carbon dioxide and five other greenhouse gases, or engage in emissions trading if they maintain or increase emissions of these gases, after receiving testimony from Harlan L. Watson, Senior Climate Negotiator and Special Representative, Bureau of Oceans and International Environmental and Scientific Affairs, Department of State; Lord Nigel Lawson, House of Lords, and Michael Grubb, Imperial College London Department of Environmental Science and Technology, both of the United Kingdom; and Margo Thorning, American Council for Capital Formation, Washington, D.C.

BUSINESS MEETING: NOMINATIONS

Committee on Foreign Relations: Committee ordered favorably reported the nominations of Robert A. Mosbacher, of Texas, to be President of the Overseas Private Investment Corporation, Jan E. Boyer, of Texas, to be United States Alternate Executive Director of the Inter-American Development Bank, Francis Rooney, of Florida, to be Ambassador to the Holy See, Alfred Hoffman, of Florida, to be Ambassador to the Republic of Portugal, Thomas A. Shannon, Jr., of Virginia, to be an Assistant Secretary of State for Western Hemisphere Affairs, Charles A. Ford, of Virginia, to be Ambassador to the Republic of Honduras, Mark Langdale, of Texas, to be Ambassador to the Republic of Costa Rica, Brenda LaGrange Johnson, of New York, to be Ambassador to Jamaica, Alexander R. Vershbow, of the District of Columbia, to be Ambassador to the Republic of Korea, Patricia Louise Herbold, of Washington, to be Ambassador to the Republic of Singapore, William Paul McCormick, of Oregon, to be Ambassador to New Zealand, and serve concurrently and without additional compensation as Ambassador to Samoa, John J. Danilovich, of California, to be Chief Executive Officer, Millennium Challenge Corporation, John Hillen, of Virginia, to be Assistant Secretary of State for Political-Military Affairs, Barry F. Lowenkron, of Virginia, to be Assistant Secretary of State for Democracy, Human Rights, and Labor, Kent R. Hill, of Virginia, to be Assistant Administrator of the United States Agency for International Development, Jacqueline Ellen Schafer, of the District of Columbia, to be Assistant Administrator of the United States Agency for International Development, Josette Sheeran Shiner, of Virginia, to be United States Alternate Governor of the International Bank for Reconstruction and Development for a term of five years; United States Alternate Governor of the Inter-American Development Bank for a term of five years; United States Alternate Governor of the African Development Bank for a term of five years; United States Alternate Governor of the African Development Fund; United States Alternate Governor of the Asian Development Bank; and United States Alternate Governor of the European Bank for Reconstruction and Development, Jendayi Elizabeth Frazer, Assistant Secretary of State for African Affairs, to be a Member of the Board of Directors of the African Development Foundation, and a Foreign Service Officer promotion list received in the Senate on July 29, 2005.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

OLDER AMERICANS' NEEDS DURING DISASTERS

Special Committee on Aging: Committee held a hearing to examine preparing for and meeting the needs of older Americans during a disaster, focusing on seniors in nursing homes or assisted living facilities, organizing safe and accessible transportation, temporary housing, and providing continuity of services to older evacuees, receiving testimony from Keith Bea, Specialist, American National Government, Government and Finance Division, Congressional Research Service, Library of Congress; Maria Greene, Georgia Department of Human Resources, Atlanta; Jeffrey Goldhagen, Duval County Health Department, Jacksonville, Florida; Leigh E. Wade, Area Agency on Aging of Southwest Florida, Inc., Fort Myers, on behalf of the National Association of Area Agencies on Aging; Carolyn S. Wilken, University of Florida, Gainesville; and Susan C. Waltman, Greater New York Hospital Association, New York, New York.

Hearing recessed subject to the call.

House of Representatives

Chamber Action

The House was not in session today. The House will meet at 10 a.m. on Thursday, October 6 for Legislative Business.

Committee Meetings

FEDERAL WORKFORCE—ACCOUNTABILITY AND REWARDS

Committee on Government Reform: Subcommittee on Federal Workforce and Agency Organization held a hearing entitled "Mom, Apple Pie, and Working for America: Accountability and Rewards for the Federal Workforce." Testimony was heard from Linda M. Springer, Director OPM; David M. Walker, Comptroller General, GAO; Theresa S. Shaw, Chief Operating Officer, Office of Federal Student Aid, Department of Education; and public witnesses.

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Thursday, October 6, 2005

Senate

Chamber Action

Routine Proceedings, pages 22446–22517

Measures Introduced: Twenty-nine bills and four resolutions were introduced, as follows: S. 1826–1854, S. Res. 268–270, and S. Con. Res. 57. **Page 22482**

Department of Defense Appropriations: Senate continued consideration of H.R. 2863, making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, taking action on the following amendments proposed thereto: **Page 22446**

Adopted:

Stevens (for Reed) Modified Amendment No. 1943, to express the sense of the Senate on the transfer of amounts for increased personnel strengths for the Army and the Marine Corps from Additional War-Related Appropriations to the recurring appropriations for fiscal year 2006. **Page 22455**

Stevens (for Mikulski) Amendment No. 1997, to provide that, of the amount made available under title III for the Air Force for other procurement, up to $3,000,000 may be made available for the Laser Marksmanship Training System. **Page 22455**

Stevens (for Levin) Amendment No. 1929, to make available $5,000,000 from Research, Development, Test, and Evaluation, Army, for Medium Tactical Vehicle Modifications. **Page 22459**

Stevens (for Levin) Amendment No. 2000, to provide that the governments of Indian tribes be treated as State and local governments for purposes of the disposition of real property recommended for closure in the report to the President from the Defense Base Closure and Realignment Commission, July 1993. **Page 22459**

Stevens (for Kennedy) Amendment No. 1924, to make available $1,000,000 from Research, Development, Test, and Evaluation, Army, for Integrated Starter/Alternator for Up-Armored High Mobility Multi-Wheeled Vehicles. **Page 22459**

Stevens (for Dayton) Further Modified Amendment No. 1896, to make available up to $60,000,000 for Operation and Maintenance, Defense-wide, for certain childcare services and family assistance centers for members of the Armed Forces and their families, and up to $40,000,000 for the purpose of National Guard counterdrug support activities. **Pages 22459, 22463**

Stevens (for Chambliss) Amendment No. 1981, to make available, from funds appropriated for operation and maintenance, Defense-wide, up to $2,000,000 for the establishment, in consultation with the Reach Out and Read National Center, of a pilot project on pediatric early literacy on military installations. **Page 22468**

Stevens Amendment No. 2053, to increase the rate of basic pay for the enlisted member serving as the Senior Enlisted Advisor for the Chairman of the Joint Chiefs of Staff. **Page 22468**

Stevens (for Frist) Amendment No. 2054, to support certain youth organizations, including the Boy Scouts of America and Girl Scouts of America. **Page 22468**

Stevens (for Byrd) Amendment No. 2055, to make appropriations for certain activities related to Hurricane Katrina relief. **Page 22468**

Rejected:

Coburn Amendment No. 2005, to curtail waste under the Department of Defense web-based travel system. (By 65 yeas to 32 nays (Vote No. 253), Senate tabled the amendment.) **Pages 22446, 22455**

During consideration of this measure today, Senate also took the following action:

Senator Stevens point of order and Senator Dayton's motion to waive relative to Stevens (for Dayton) Modified Amendment No. 1896 (listed above), were both rendered moot when the amendment was further modified and then agreed to. **Page 22463**

A unanimous-consent agreement was reached providing that Senator Santorum be recorded as voting yea rather than absent, relative to Vote No. 252 on the motion to invoke cloture on the measure, agreed to on October 5, 2005. **Page 22473**

Nominations Received: Senate received the following nominations:

Terrence L. Bracy, of Virginia, to be a Member of the Board of Trustees of the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation for a term expiring October 6, 2010.

David Steele Bohigian, of Missouri, to be an Assistant Secretary of Commerce.

Antonio Fratto, of Pennsylvania, to be an Assistant Secretary of the Treasury.

Susan C. Schwab, of Maryland, to be a Deputy United States Trade Representative, with the rank of Ambassador.

Jeffrey Thomas Bergner, of Virginia, to be an Assistant Secretary of State (Legislative Affairs).

Nicholas F. Taubman, of Virginia, to be Ambassador to Romania.

Susan Rasinski McCaw, of Washington, to be Ambassador to the Republic of Austria.

Sarah M. Singleton, of New Mexico, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2008.

Ron Silver, of New York, to be a Member of the Board of Directors of the United States Institute of Peace for a term expiring January 19, 2009.

Judy Van Rest, of Virginia, to be a Member of the Board of Directors of the United States Institute of Peace for a term expiring January 19, 2009.

Eric Nicholas Vitaliano, of New York, to be United States District Judge for the Eastern District of New York.

23 Air Force nominations in the rank of general.

4 Army nominations in the rank of general.

1 Navy nomination in the rank of admiral.

Routine lists in the Air Force, Army, Coast Guard, Marine Corps, Navy. **Page 22514**

Messages From the House: **Page 22479**

Executive Communications: **Page 22479**

Executive Reports of Committees: **Page 22482**

Additional Cosponsors: **Page 22483**

Statements on Introduced Bills/Resolutions: **Page 22484**

Amendments Submitted: **Page 22511**

Notices of Hearings/Meetings: **Page 22512**

Authority for Committees to Meet: **Page 22512**

Privilege of the Floor: **Page 22513**

Record Votes: One record vote was taken today. (Total—253) **Page 22459**

Recess: Senate convened at 9:30 a.m., and recessed at 1:39 a.m., on Friday, October 7, 2005 and will reconvene at 8:15 a.m. on the same day. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 22514.)

Committee Meetings

MARRIAGE DEVELOPMENT ACCOUNTS

Committee on Appropriations: Subcommittee on District of Columbia concluded a hearing to examine the potential for Marriage Development Accounts, which would allow low-income singles and engaged and married couples in the District of Columbia to set up pre-marriage and marriage development accounts that would match $3 for every $1 invested to use toward buying a home, a child's college education or business start-up, with credit counseling and debt management counseling available to participants, after receiving testimony from District of Columbia Delegate Norton; Ron Haskins, Brookings Institution, Thabiti Anyabwile, Capitol Hill Baptist Church, Colleen Dailey, Capital Area Asset Building Corporation, Curtis Watkins, East Capitol Center for Change, Winston Graham, and Sandra Corley, all of Washington, D.C.; D. Malcolm Smith, Center for Fathers, Families and Workforce Development, Baltimore, Maryland; W. Bradford Wilcox, University of Virginia, Charlottesville; and George Williams, National Center on Fathering, Kansas City, Missouri.

NOMINATIONS

Committee on Armed Services: Committee concluded a hearing to examine the nominations of Michael W. Wynne, of Florida, to be Secretary of the Air Force, and Donald C. Winter, of Virginia, to be Secretary of the Navy, after the nominees testified and answered questions in their own behalf.

DEFENSE TRADE: EXON-FLORIO

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the implementation of the Exon-Florio provision by the Committee on

Foreign Investment in the United States (CFIUS), which seeks to serve U.S. investment policy through reviews that protect national security while maintaining the credibility of open investment policy, after receiving testimony from Katherine Schinasi, Managing Director, Acquisition and Sourcing Management, and Ann Calvaresi Barr, Director, Industrial Base Issues, both of the Government Accountability Office.

KATRINA'S EFFECTS ON ENERGY

Committee on Energy and Natural Resources: Committee concluded a hearing to examine Hurricanes Katrina and Rita's effects on energy infrastructure and that status of recovery efforts in the Gulf Coast region, after receiving testimony from Red Cavaney, American Petroleum Institute, and Kevin S. Curtis, National Environmental Trust, both of Washington, D.C.; Andrew Liveris, Dow Chemical Company, Midland, Michigan, on behalf of the American Chemistry Council; Christopher A. Helms, NiSource Inc., Merrillville, Indiana, on behalf of the Interstate Natural Gas Association of America; and Curt Hebert, Jr., Entergy Corporation, New Orleans, Louisiana.

WATER BILLS

Committee on Energy and Natural Resources: Subcommittee on Water and Power concluded a hearing to examine S. 1025, to amend the Act entitled "An Act to provide for the construction of the Cheney division, Wichita Federal reclamation project, Kansas" to authorize the Equus Beds Division of the Wichita Project, S. 1498, to direct the Secretary of the Interior to convey certain water distribution facilities to the Northern Colorado Water Conservancy District, S. 1529, to provide for the conveyance of certain Federal land in the city of Yuma, Arizona, S. 1578, to reauthorize the Upper Colorado and San Juan River Basin endangered fish recovery implementation programs, and S. 1760, to authorize early repayment of obligations to the Bureau of Reclamation within Rogue River Valley Irrigation District or within Medford Irrigation District, after receiving testimony from William Rinne, Deputy Commissioner of Reclamation, Department of the Interior; Mayor Larry Nelson, Yuma, Arizona; Jerry Blain, City of Wichita, Water and Sewer Department, Wichita, Kansas; James S. Witwer, Northern Colorado Water Conservancy District, Berthoud; and Tom Blickensderfer, Colorado Department of Natural Resources, Denver.

NOMINATIONS

Committee on Environment and Public Works: Committee ordered favorably reported the nominations of Santanu K. Baruah, of Oregon, to be Assistant Secretary of Commerce for Economic Development, George M. Gray, of Massachusetts, to be an Assistant Administrator of the Environmental Protection Agency, Lyons Gray, of North Carolina, to be Chief Financial Officer, Environmental Protection Agency, H. Dale Hall, of New Mexico, to be Director of the United States Fish and Wildlife Service, Department of the Interior, and Edward McGaffigan, Jr., of Virginia, to be a Member of the Nuclear Regulatory Commission.

KATRINA RECOVERY

Committee on Environment and Public Works: Committee concluded a hearing to examine actions of the Environmental Protection Agency, the Army Corps of Engineers and the Federal Highway Administration relating to Hurricane Katrina recovery efforts, after receiving testimony from J. Richard Capka, Acting Administrator, Federal Highway Administration, Department of Transportation; Lieutenant General Carl A. Strock, Chief of Engineers, U.S. Army Corps of Engineers; Marcus Peacock, Deputy Administrator, Environmental Protection Agency; and John Paul Woodley, Jr., Assistant Secretary of the Army for Civil Works.

TAX POLICY FOLLOWING DISASTERS

Committee on Finance: Committee held a hearing to examine the future of the Gulf Coast, focusing on the use of tax policy to help rebuild businesses and communities and support families after disasters, receiving testimony from former Representative Jack Kemp; John W. Snow, Secretary of the Treasury; Jane G. Gravelle, Senior Specialist in Economic Policy, Congressional Research Service, Library of Congress; Harry Connick, Jr., Habitat for Humanity International, Washington, D.C.; Mississippi State Treasurer Tate Reeves, and Dianne Bolen, Mississippi Home Corporation, both of Jackson; and James R. Kelly, Catholic Charities of the Archdiocese of New Orleans, New Orleans, Louisiana.

Hearing recessed subject to the call.

U.S.-BAHRAIN FREE TRADE AGREEMENT

Committee on Finance: Subcommittee on International Trade held a hearing to examine the United States-Bahrain Free Trade Agreement, receiving testimony from Shaun E. Donnelly, Assistant United States Trade Representative for Europe and the Mediterranean, Office of the United States Trade Representative; Megan Aslaksen, Hewlett-Packard Company, Palo Alto, California; Lionel C. Johnson, Citigroup, Barbara R. Spangler, Wheat Export Trade Education Committee, on behalf of the National Association of Wheat Growers, and U.S. Wheat Associates, Robert C. Baugh, AFL–CIO Industrial Union Council, and David Hamod, National U.S.-Arab Chamber of Commerce, all of Washington, D.C.

Hearing recessed subject to the call.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Jennifer L. Dorn, of Nebraska, to be United States Alternate Executive Director of the International Bank for Reconstruction and

Development, who was introduced by Senators Hagel and Dole, and Donald A. Gambatesa, of Virginia, to be Inspector General, United States Agency for International Development, after the nominees testified and answered questions in their own behalf.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of David B. Dunn, of California, to be Ambassador to the Togolese Republic, Carmen Maria Martinez, of Florida, to be Ambassador to the Republic of Zambia, and Michael R. Arietti, of Connecticut, to be Ambassador to the Republic of Rwanda, after the nominees testified and answered questions in their own behalf.

FEMA

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine Federal Emergency Management Agency (FEMA) status report on recovery efforts in the Gulf States, after receiving testimony from R. David Paulison, Acting Director, Federal Emergency Management Agency, Department of Homeland Security.

DOD LOGISTICS

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia concluded a hearing to examine the status of the Department of Defense supply chain and logistics, focusing on efforts to improve the Department's business transformation strategy and supply chain management, after receiving testimony from Kenneth J. Krieg, Under Secretary of Defense for Acquisition, Technology, and Logistics; Clay Johnson III, Deputy Director for Management, Office of Management and Budget; and William M. Solis, Director, Defense Capabilities and Management, Government Accountability Office.

FEDERAL LEASED PROPERTY

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, and International Security concluded a hearing to examine how the Federal government lease needed space, focusing on Federal real property as a high-risk area and specifically on the government's reliance on costly leased space, after receiving testimony from Mark L. Goldstein, Director, Government Accountability Office; William H. Matthews, Assistant Commissioner, Office of Real Property Asset Management, Public Buildings Service, General Services Administration; and Robert L. Neary, Jr., Acting Chief Facilities Management Officer, Department of Veterans Affairs.

BUSINESS MEETING

Committee on the Judiciary: Committee resumed markup of S. 1088, to establish streamlined procedures for collateral review of mixed petitions, amendments, and defaulted claims, but did not complete action thereon, and recessed subject to call.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Wan J. Kim, of Maryland, to be Assistant Attorney General, Civil Rights Division, who was introduced by Senators Hatch and Lautenberg, Steven G. Bradbury, of Maryland, to be Assistant Attorney General, Office of Legal Counsel, who was introduced by Senator Smith, Sue Ellen Wooldridge, of Virginia, to be Assistant Attorney General, Environment and Natural Resources Division, who was introduced by Representative Lungren, and Thomas O. Barnett, of Virginia, to be Assistant Attorney General, Antitrust Division, who was introduced by Senator Allen, all of the Department of Justice, after the nominees testified and answered questions in their own behalf.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 44 public bills, H.R. 3968–4011; and 10 resolutions, H. Con. Res. 259–262; and H. Res. 479–480, 482–485, were introduced. **Page 22441**

Additional Cosponsors: **Page 22444**

Reports Filed: Reports were filed today as follows: H.R. 3893, to expedite the construction of new refining capacity in the United States, to provide reliable and affordable energy for the American people, and for other purposes (Rept. 109–244, Pt. 1); and

H. Res. 481, providing for the consideration of the bill (H.R. 3983) to expedite the construction of new refining capacity in the United States, to provide reliable and affordable energy for the American people, and for other purposes (Rept. 109–245). **Page 22441**

Speaker: Read a letter from the Speaker wherein he appointed Representative Pence to act as Speaker pro tempore for today. **Page 22354**

Chaplain: The prayer was offered today by Rev. David Kassos, Pastor, First United Methodist Church, Prescott, Arkansas. **Page 22354**

Board of Visitors to the United States Military Academy—Appointment: The Chair announced the Speaker's appointment of Representatives Hinchey and Tauscher to the Board of Visitors to the United States Military Academy. **Page 22356**

United States Holocaust Memorial Council: The Chair announced the Speaker's appointment of Representatives Lantos and Waxman to the United States Holocaust Memorial Council. **Page 22356**

Presidential Message: Read a letter from the President wherein he notified Congress of his decision to extend the period of production of the Naval Petroleum Reserves for a period of 3 years from April 5, 2006, the expiration date of the currently authorized period of production—referred to the Committee on Armed Services and ordered printed (H. Doc. 109–59). **Page 22356**

Recess: The House recessed at 10:22 a.m. and reconvened at 2:01 p.m. **Page 22357**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Redesignating the Crowne Plaza in Kingston, Jamaica, as the Colin L. Powell Residential Plaza: S. 1413, to redesignate the Crowne Plaza in Kingston, Jamaica, as the Colin L. Powell Residential Plaza; clearing the measure for the President; **Page 22357**

Authorizing the use of the Capitol Grounds for an event to commemorate the 10th Anniversary of the Million Man March: H. Con. Res. 161, to authorize the use of the Capitol Grounds for an event to commemorate the 10th Anniversary of the Million Man March; **Page 22358**

Authorizing the Secretary of Transportation to make emergency airport improvement project grants-in-aid under title 49, United States Code, for repairs and costs related to damage from Hurricanes Katrina and Rita: S. 1786, to authorize the Secretary of Transportation to make emergency airport improvement project grants-in-aid under title 49, United States Code, for repairs and costs related to damage from Hurricanes Katrina and Rita, by a yea-and-nay vote of 420 yeas with none voting "nay", Roll No. 509; clearing the measure for the President; **Pages 22359, 22400**

Supporting the goals and ideals of National Campus Safety Awareness Month: H. Res. 15, amended, to support the goals and ideals of National Campus Safety Awareness Month; **Page 22361**

Supporting the goals and ideals of Pancreatic Cancer Awareness Month: H. Res. 276, to support the goals and ideals of Pancreatic Cancer Awareness Month, by a yea-and-nay vote of 415 yeas with none voting "nay", Roll No. 510; **Pages 22363, 22401**

Recognizing the contributions of African-American basketball teams and players for their achievements, dedication, and contributions to the sport of basketball and to the Nation: H. Con. Res. 59, to recognize the contributions of African-American basketball teams and players for their achievements, dedication, and contributions to the sport of basketball and to the Nation; **Page 22364**

Designating the facility of the United States Postal Service located at 201 North 3rd Street in Smithfield, North Carolina, as the "Ava Gardner Post Office": H.R. 3439, to designate the facility of the United States Postal Service located at 201 North 3rd Street in Smithfield, North Carolina, as the "Ava Gardner Post Office"; **Page 22367**

Hurricane Katrina Emergency Housing Act of 2005: H.R. 3894, amended, to provide for waivers under certain housing assistance programs of the Department of Housing and Urban Development to assist victims of Hurricane Katrina in obtaining housing, by a yea-and-nay vote of 418 yeas with none voting "nay", Roll No. 511; **Pages 22368, 22402**

Agreed to amend the title so as to read "A bill to provide for waivers under certain housing assistance programs of the Department of Housing and Urban Development to assist victims of Hurricane Katrina and Hurricane Rita in obtaining housing.". **Page 22402**

Rural Housing Hurricane Relief Act of 2005: H.R. 3895, amended, to amend title V of the Housing Act of 1949 to provide rural housing assistance to families affected by Hurricane Katrina, by a yea-and-nay vote of 335 yeas to 81 nays, Roll No. 513; **Pages 22374, 22414**

Agreed to amend the title so as to read "A bill to amend title V of the Housing Act of 1949 to provide rural housing assistance to families affected by Hurricane Katrina or Hurricane Rita.". **Page 22415**

Hurricane Katrina Emergency Relief CDBG Flexibility Act of 2005: H.R. 3896, to temporarily suspend, for communities affected by Hurricane Katrina, certain requirements under the community development block grant program, by a yea-and-nay vote of 415 yeas with none voting "nay", Roll No. 514; **Pages 22376, 22415**

Agreed to amend the title so as to read "A bill to temporarily suspend, for communities affected by Hurricane Katrina or Hurricane Rita, certain requirements under the community development block grant program.". **Page 22416**

Social Security Emergency Relief and Recovery Act of 2005: H.R. 3971, Social Security Emergency Relief and Recovery Act of 2005; and **Page 22384**

Expressing the sense of the House of Representatives that the Centers for Medicare & Medicaid Services should be commended for implementing the Medicare demonstration project to assess the quality of care of cancer patients undergoing chemotherapy, and should extend the project, at least through 2006, subject to any appropriate modifications: H. Res. 261, amended, to express the sense of the House of Representatives that the Centers for Medicare & Medicaid Services should be commended for implementing the Medicare demonstration project to assess the quality of care of cancer patients undergoing chemotherapy, and should extend the project, at least through 2006, subject to any appropriate modifications. **Page 22390**

Agreed to amend the title so as to read "Resolution expressing the sense of the House of Representatives that the Centers for Medicare & Medicaid Services should be commended for implementing the Medicare demonstration project to assess the quality of care of cancer patients undergoing chemotherapy, and should extend the project through 2006, subject to any appropriate modifications." **Page 22392**

Suspensions—Proceedings Postponed: The House began consideration of the following measure under suspension of the rules. Further consideration will continue tomorrow, October 7th.

Honoring the life and work of Simon Wiesenthal and reaffirming the commitment of Congress to the fight against anti-Semitism and intolerance in all forms, in all forums, and in all nations: H. Con. Res 248, to honor the life and work of Simon Wiesenthal and reaffirming the commitment of Congress to the fight against anti-Semitism and intolerance in all forms, in all forums, and in all nations. **Page 22379**

Department of Homeland Security Appropriations Act, 2006—Conference Report: The House agreed to the conference report to accompany H.R. 2360, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006, by a yea-and-nay vote of 347 yeas to 70 nays, Roll No. 512; **Page 22402**

H. Res. 474, the rule providing for consideration of the conference report, was agreed to by voice vote after agreeing to the previous question. **Page 22392**

Senate Message: Message received from the Senate today appears on page 22354.

Senate Referrals: S. 392 was referred to the Committee on Financial Services and S. 1197 was held at the desk. **Page 22440**

Quorum Calls—Votes: Six yea-and-nay votes developed during the proceedings of today and appear on pages 22400–02 and 22414–16. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at midnight.

Committee Meetings

HURRICANE KATRINA—OVERSIGHT SUPPLEMENTAL APPROPRIATIONS

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on Financial Oversight of Supplemental Appropriations for Hurricane Katrina. Testimony was heard from the following officials of the Department of Homeland Security: Michael P. Jackson, Deputy Secretary; Richard L. Skinner, Inspector General; Andy B. Maner, Chief, Financial Officer; and R. David Paulison, Acting Director, FEMA.

HURRICANE KATRINA—TRANSPORTATION DEPARTMENT

Committee on Appropriations: Subcommittee on the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and Independent Agencies held a hearing on Department of Transportation (Hurricane Katrina). Testimony was heard from Norman Mineta, Secretary of Transportation.

AFTER THE HURRICANES: IMPACT ON FY 2007 BUDGET

Committee on the Budget: Held a hearing on After the Hurricanes: Impact on the Fiscal Year 2007 Budget. Testimony was heard from Douglas J. Holtz-Eakin, Director, CBO.

FCC'S E-RATE PLANS—ASSIST GULF COAST RECOVERY

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "FCC's E-rate Plans to Assist Gulf Coast Recovery." Testimony was heard from the following officials of the FCC: Thomas Navin, Chief, Wireline Competition Bureau; and H. Walker Feaster III, Inspector General; Gary Rawson, State E-rate Coordinator, Department of Information Technology Services, State of Mississippi; and a public witness.

SIX-PARTY TALKS—NORTH KOREAN NUCLEAR ISSUES

Committee on International Relations: Held an oversight hearing entitled "The Six-Party Talks and the North Korean Nuclear Issues: Old Wine in New Bottles?" Testimony was heard from Christopher R. Hill, Assistant Secretary, Bureau of East Asian and Pacific Affairs, Department of State.

INDIA'S UNFINISHED AGENDA

Committee on International Relations: Subcommittee on Africa, Global Human Rights and International Operations held an oversight hearing entitled "India's Unfinished Agenda: Equality and Justice for 200 Million Victims of the Caste System." Testimony was heard from public witnesses.

NATURAL GAS PIPELINE PROPERTY—PREVENT DISCRIMINATORY TAXATION

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held a hearing on H.R. 1369, To prevent certain discriminatory taxation of natural gas pipeline property. Testimony was heard from public witnesses.

OVERSIGHT—IMPROVING FEDERAL COURT ADJUDICATION OF PATENT CASES

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property held an oversight hearing on Improving Federal Court Adjudication of Patent Cases. Testimony was heard from T.S. Ellis III, U.S. District Judge, Eastern District of Virginia; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Water and Power held a hearing on the following bills: H.R. 122, Eastern Municipal Water District Recycled Water System Pressurization and Expansion Project; H.R. 2341, To amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of a project to reclaim and reuse wastewater within and outside of the service area of the City of Austin Water and Wastewater Utility, Texas; H.R. 3418, Central Texas Water Recycling Act of 2005; and H.R. 3929, To amend the Water Desalination Act of 1996 to authorize the Secretary of the Interior to assist in research and development, environmental and feasibility studies, and preliminary engineering for the Municipal Water District of Orange County, California, Dana Point Desalination Project located at Dana Point, California. Testimony was heard from Jack Garner, Acting Deputy Commissioner, Bureau of Reclamation, Department of the Interior; and public witnesses.

GASOLINE FOR AMERICA'S SECURITY ACT

Committee on Rules: Granted, by voice vote, a structured providing one hour of debate in the House on H.R. 3893, to expedite the construction of new refining capacity in the United States, to provide reliable and affordable energy for the American people, and for other purposes, equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill, modified by the amendment printed in part A of the Rules Committee report accompanying the resolution, shall be considered as adopted and shall be considered as read. The rule waives all points of order against the bill as amended. The rule makes in order the amendment printed in part B of the Rule Committee report accompanying the resolution, if offered by Representative Stupak of Michigan or his designee, which shall be considered as read, and which shall be debatable for 40 minutes equally divided and controlled by the proponent and an opponent. The rule waives all points of order against the amendment printed in part B of the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Barton of Texas, Chairman Boehlert and Representatives Peterson of Pennsylvania, Flake, Tiahrt, Gutknecht, Dingell, Stupak, Inslee, Bishop of New York, Abercrombie, Larson of Connecticut, Edwards, and Dicks.

OVERSIGHT—KATRINA RECOVERY ENSURING FEMA IS UP TO THE TASK

Committee on Transportation and Infrastructure: Subcommittee on Economic Development, Public Buildings and Emergency Management held an oversight hearing entitled "Recovering after Katrina: Ensuring that FEMA is up to the task." Testimony was heard from Representative Baker; from the following officials of the Department of Homeland Security: Ken Burris, Chief, Operating Officer, FEMA; and Richard L. Skinner, Inspector General; and public witnesses.

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Friday, October 7, 2005

Senate

Chamber Action

Routine Proceedings, pages 22551–22645

Measures Introduced: Fourteen bills and three resolutions were introduced, as follows: S. 1855–1868, S. Res. 271–272, and S. Con. Res. 58. **Page 22620**

Measures Passed:

Department of Defense Appropriations: By a unanimous vote of 97 yeas (Vote No. 254), Senate passed H.R. 2863, making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, as amended. **Page 22551**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Stevens, Cochran, Specter, Domenici, Bond, McConnell, Shelby, Gregg, Hutchison, Burns, Inouye, Byrd, Leahy, Harkin, Dorgan, Durbin, Reid, Feinstein, and Mikulski. **Page 22580**

Community Disaster Loans: Senate passed S. 1858, to provide for community disaster loans. **Page 22586**

Social Services Emergency Relief and Recovery Act: Senate passed H.R. 3971, to provide assistance to individuals and States affected by Hurricane Katrina, after agreeing to the following amendment proposed thereto: **Page 22637**

Stevens (for Grassley) Amendment No. 2059, in the nature of a substitute. **Page 22637**

Kosovo: Committee on Foreign Relations was discharged from further consideration of S. Res. 237, expressing the sense of the Senate on reaching an agreement on the future status of Kosovo, and the resolution was then agreed to. **Page 22639**

Permit Processing Fund Extension: Committee on Environment and Public Works was discharged from further consideration of H.R. 3765, to extend through March 31, 2006, the authority of the Secretary of the Army to accept and expend funds contributed by non-Federal public entities and to expedite the processing of permits, and the measure was then passed, after agreeing to the following amendments proposed thereto: **Page 22640**

Stevens (for Inhofe) Amendment No. 2057, to modify the reauthorization period of a certain water resource program. **Page 22640**

Stevens (for Inhofe) Amendment No. 2058, to amend the title. **Page 22640**

National Character Counts Week: Senate agreed to S. Res. 271, designating the week beginning October 16, 2005, as "National Character Counts Week". **Page 22640**

Honoring Judge Constance Baker Motley: Senate agreed to S. Res. 272, recognizing and honoring the life and achievements of Constance Baker Motley, a judge for the United States District Court, Southern District of New York. **Page 22641**

Use of Capitol Grounds: Senate agreed to H. Con. Res. 161, authorizing the use of the Capitol Grounds for an event to commemorate the 10th Anniversary of the Million Man March. **Page 22642**

Department of Homeland Security Appropriations—Conference Report: Senate agreed to the conference report to accompany H.R. 2360, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006, clearing the measure for the President. **Page 22580**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that during this adjournment of the Senate, the Majority Leader, and Senator Warner, be authorized to sign duly enrolled bills or joint resolutions. **Page 22639**

Authorizing Leadership To Make Appointments—Agreement: A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate, the President of the Senate, the President pro tempore, and the Majority and Minority Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate. **Page 22639**

Adjournment Resolution: A unanimous-consent agreement was reached providing that, notwithstanding the adjournment of the Senate, when the Senate receives from the House of Representatives the adjournment resolution, the concurrent resolution be agreed to and the motion to reconsider be laid on the table. **Page 22639**

Transportation/Treasury Appropriations—Agreement: A unanimous-consent agreement was reached providing that at 3 p.m. on Monday, October 17, 2005, Senate begin consideration of H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006. **Page 22637**

Nomination—Joint Referral: A unanimous-consent agreement was reached providing that when the Committee on Homeland Security and Governmental Affairs reports the nomination of Julie L. Myers, of Kansas, to be an Assistant Secretary of Homeland Security, the nomination be referred sequentially to the Committee on the Judiciary for up to 30 calendar days, provided further, that if the nomination is not reported by that time it be discharged automatically from the Committee on the Judiciary and placed on the Executive Calendar. **Page 22639**

Treaties Approved: The following treaties having passed through their various parliamentary stages, up to and including the presentation of the resolution of ratification, upon division, two-thirds of the Senators present having voted in the affirmative, the resolutions of ratification were agreed to:

Inter-American Convention Against Terrorism (Treaty Doc. 107–18) with one understanding; and

U.N. Convention Against Transnational Organized Crime (Treaty Doc. 108–16). **Page 22642**

Nominations Confirmed: Senate confirmed the following nominations:

Juliet JoAnn McKenna, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Jan E. Boyer, of Texas, to be United States Alternate Executive Director of the Inter-American Development Bank.

Israel Hernandez, of Texas, to be Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Service.

Charles A. Ford, of Virginia, to be Ambassador to the Republic of Honduras.

John R. Fisher, of the District of Columbia, to be an Associate Judge of the District of Columbia Court of Appeals for the term of fifteen years.

Kenneth L. Wainstein, of Virginia, to be United States Attorney for the District of Columbia for the term of four years.

Kent R. Hill, of Virginia, to be an Assistant Administrator of the United States Agency for International Development.

Colleen Duffy Kiko, of Virginia, to be General Counsel of the Federal Labor Relations Authority for a term of five years.

David H. McCormick, of Pennsylvania, to be Under Secretary of Commerce for Export Administration.

Darryl W. Jackson, of the District of Columbia to be an Assistant Secretary of Commerce.

John Hillen, of Virginia, to be an Assistant Secretary of State (Political-Military Affairs).

Kim Kendrick, of the District of Columbia, to be an Assistant Secretary of Housing and Urban Development.

Patrick M. O'Brien, of Minnesota, to be Assistant Secretary for Terrorist Financing, Department of the Treasury.

Robert A. Mosbacher, of Texas, to be President of the Overseas Private Investment Corporation.

Mark Langdale, of Texas, to be Ambassador to the Republic of Costa Rica.

Keith A. Nelson, of Texas, to be an Assistant Secretary of Housing and Urban Development.

Patricia Louise Herbold, of Washington, to be Ambassador to the Republic of Singapore.

Stewart A. Baker, of Virginia, to be an Assistant Secretary of Homeland Security.

H. Dale Hall, of New Mexico, to be Director of the United States Fish and Wildlife Service.

Darlene F. Williams, of Texas, to be an Assistant Secretary of Housing and Urban Development.

Keith E. Gottfried, of California, to be General Counsel of the Department of Housing and Urban Development.

Alfred Hoffman, of Florida, to be Ambassador to the Republic of Portugal.

Emil W. Henry, Jr., of New York, to be an Assistant Secretary of the Treasury.

Edward McGaffigan, Jr., of Virginia, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2010.

George M. Gray, of Massachusetts, to be an Assistant Administrator of the Environmental Protection Agency.

Barry F. Lowenkron, of Virginia, to be Assistant Secretary of State for Democracy, Human Rights, and Labor.

William Paul McCormick, of Oregon, to be Ambassador to New Zealand, and serve concurrently and without additional compensation as Ambassador to Samoa.

Francis Rooney, of Florida, to be Ambassador to the Holy See.

Josette Sheeran Shiner, of Virginia, to be United States Alternate Governor of the International Bank for Reconstruction and Development for a term of five years; United States Alternate Governor of the Inter-American Development Bank for a term of five years; United States Alternate Governor of the African Development Bank for a term of five years; United States Alternate Governor of the African Development Fund; United States Alternate Governor of the Asian Development Bank; and United States Alternate Governor of the European Bank for Reconstruction and Development.

Lyons Gray, of North Carolina, to be Chief Financial Officer, Environmental Protection Agency.

Jacqueline Ellen Schafer, of the District of Columbia, to be an Assistant Administrator of the United States Agency for International Development.

Brenda LaGrange Johnson, of New York, to be Ambassador to Jamaica.

Alexander R. Vershbow, of the District of Columbia, to be Ambassador to the Republic of Korea.

Thomas A. Shannon, Jr., of Virginia, to be an Assistant Secretary of State (Western Hemisphere Affairs).

John J. Danilovich, of California, to be Chief Executive Officer, Millennium Challenge Corporation.

Jendayi Elizabeth Frazer, Assistant Secretary of State (African Affairs), to be a Member of the Board of Directors of the African Development Foundation for the remainder of the term expiring September 27, 2009.

A routine list in the Foreign Service.

Pages 22638, 22645

Nominations Received: Senate received the following nomination:

Harriet Ellan Miers, of Texas, to be an Associate Justice of the Supreme Court of the United States.

Page 22645

Nominations Withdrawn: Senate received notification of withdrawal of the following nominations:

Philip D. Morrison, of the District of Columbia, to be an Assistant Secretary of the Treasury, which was sent to the Senate on May 26, 2005.

Timothy Elliott Flanigan, of Virginia, to be Deputy Attorney General, which was sent to the Senate on June 20, 2005. **Page 22645**

Messages From the House: **Page 22611**

Measures Referred: **Page 22611**

Petitions and Memorials: **Page 22612**

Additional Cosponsors: **Page 22621**

Statements on Introduced Bills/Resolutions: **Page 22621**

Additional Statements: **Page 22605**

Amendments Submitted: **Page 22636**

Notices of Hearings/Meetings: **Page 22637**

Authority for Committees to Meet: **Page 22637**

Record Votes: One record vote was taken today. (Total—254) **Page 22560**

Adjournment: Senate convened at 8:15 a.m. and adjourned at 1:11 p.m., until 2 p.m., on Monday, October 17, 2005, contingent on the action of the Senate on the adjournment resolution from the House of Representatives, that if the Senate does not agree to the adjournment resolution, the Senate will reconvene at 12 noon on Tuesday, October 11, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 22645.)

Committee Meetings

BUSINESS MEETING

Committee on Homeland Security and Governmental Affairs: Committee ordered favorably reported the following business items:

An original bill to repeal the increased micropurchase threshold; and

The nomination of Julie L. Myers, of Kansas, to be an Assistant Secretary of Homeland Security.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 44 public bills, H.R. 4012–4055; 1 private bill, H.R. 4056; and 8 resolutions, H. Con. Res. 264–266; and H. Res. 486–490, were introduced. **Page 22719**

Additional Cosponsors: **Page 22721**

Reports Filed: Reports were filed today as follows:

S. 1339, to reauthorize the Junior Duck Stamp Conservation and Design Program Act of 1994 (Rept. 109–246). **Page 22719**

Chaplain: The prayer was offered today by Rev. Henry Holley, Director of Asian Affairs, Billy Graham Evangelistic Association, Marietta, Georgia. **Page 22646**

Journal: Agreed to the Speaker's approval of the Journal by a yea-and-nay vote of 348 yeas to 63 nays, Roll No. 516. **Pages 22646, 22658**

Permitting individuals to be admitted to the Hall of the House in order to obtain footage of the House in session for inclusion in the orientation film to be shown to visitors at the Capitol Visitor Center—Order of Business: The House agreed that (1) it shall be in order at any time to consider H. Res. 480, permitting individuals to be admitted to the Hall of the House in order to obtain footage of the House in session for inclusion in the orientation film to be shown to visitors at the Capitol Visitor Center; (2) the resolution be considered as read; (3) the previous question shall be considered as ordered on the resolution to its adoption without intervening motion except ten minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Rules. **Page 22648**

Permitting individuals to be admitted to the Hall of the House in order to obtain footage of the House in session for inclusion in the orientation film to be shown to visitors at the Capitol Visitor Center: The House agreed to H. Res. 480, to permit individuals to be admitted to the Hall of the House in order to obtain footage of the House in session for inclusion in the orientation film to be shown to visitors at the Capitol Visitor Center, with no objections. **Page 22648**

Gasoline for America's Security Act of 2005: The House passed H.R. 3893, to expedite the construction of new refining capacity in the United States, to provide reliable and affordable energy for the American people (by a recorded vote of 212 ayes to 210 noes, Roll No. 519). **Page 22659**

Rejected the Bishop motion to recommit the bill to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with amendments (by a recorded vote of 200 ayes to 222 noes, Roll No. 518). **Page 22700**

Pursuant to the rule the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce, now printed in the bill and modified by the amendment printed in part A of H. Rept. 109–245, shall be considered as adopted. **Page 22665**

Rejected:

Stupak amendment in the nature of a substitute (printed in part B of H. Rept. 109–245) that sought to give explicit authority to the FTC to define price gouging. It preserves the FTC's existing civil penalty authority and authorizes new civil penalties of up to three times the amount of unjust profits gained by companies who engage in price gouging. It also increases our nation's refinery capacity by establishing a federal Strategic Refinery Reserve which would build upon the success of the Strategic Petroleum Reserve (SPR) by creating a natural extension of the SPR—a refinery reserve (by a recorded vote of 199 ayes to 222 noes, Roll No. 517). **Page 22689**

H. Res. 481, the rule providing for consideration of the bill was agreed to by a yea-and-nay vote 216 yeas to 201 nays, Roll No. 515, after agreeing to order the previous question without objection. **Page 22648**

Agreed by unanimous consent that H. Res. 481 be considered as amended by striking the number 3983 and inserting in lieu thereof the number 3893 in the text. **Page 22648**

Agreed to amend the title so as to read "Providing for the consideration of the bill (H.R. 3893) to expedite the construction of new refining capacity in the United States, to provide reliable and affordable energy for the American people, and for other purposes.". **Page 22658**

Suspensions: The House agreed to suspend the rules and pass the following measure which was debated on Thursday, October 6:

Honoring the life and work of Simon Wiesenthal and reaffirming the commitment of Congress to the fight against anti-Semitism and intolerance in all forms, in all forums, and in all nations: H. Con. Res. 248, to honor the life and work of Simon Wiesenthal and reaffirming the commitment of Congress to the fight against anti-Semitism and intolerance in all forms, in all forums, and in all nations, by a yea-and-nay vote of 354 yeas with none voting "nay", Roll No. 520. **Page 22705**

Adjournment Resolution: The House agreed to H. Con. Res. 263, providing for the conditional adjournment of the House and conditional adjournment or recess of the Senate. **Page 22705**

Providing for Community Disaster Loans: The House passed S. 1858, to provide for community disaster loans. **Page 22706**

Committee Resignation: Read a letter from Representative Ginny Brown-Waite of Florida wherein she resigned from the Committee on Government Reform and all subcommittees under its jurisdiction as of September 30, 2005. **Page 22711**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representatives Tom Davis of Virginia and Bartlett of Maryland to act as Speaker pro tempore to sign enrolled bills and joint resolutions through October 17, 2005. **Page 22711**

Speaker: Read a letter from the Speaker wherein he appointed Representative Schmidt to act as Speaker pro tempore to sign enrolled bills and joint resolutions on this day. **Page 22718**

Senate Message: Messages received from the Senate today appear on pages 22658, 22689, 22710, and 22718.

Quorum Calls—Votes: Three yea-and-nay vote and three recorded votes developed during the proceedings of today and appear on pages 22658–59, 22699, and 22702–05. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 4:31 p.m. on Friday, October 7, and pursuant to the provisions of H. Con. Res. 263, stands adjourned until 2 p.m. on Monday, October 17.

Committee Meetings

STRENGTHENING THE OWNERSHIP OF PRIVATE PROPERTY ACT OF 2005

Committee on Agriculture: Ordered reported, as amended, H.R. 3405, Strengthening the Ownership of Private Property Act of 2005.

DOE'S EFFORTS TO CONSOLIDATE SURPLUS PLUTONIUM INVENTORIES

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing to review GAO's findings and recommendations regarding the Department of Energy's efforts to consolidate Surplus Plutonium Inventories. Testimony was heard from Gene Aloise, Director, Natural Resources and the Environment, GAO; Charles E. Anderson, Principal Deputy Assistant Secretary, Environmental Management, Department of Energy; and A.J. Eggenberger, Chairman, Defense Nuclear Facility Safety Board.

COMMITTEE BUSINESS

Committee on Homeland Security: Approved a committee resolution creating the Subcommittee on Investigations.

MISCELLANEOUS MEASURES

Committee on International Relations: Ordered reported, as amended, H.R. 972, Trafficking Victims Protection Reauthorization Act of 2005.

The Committee also favorably considered and adopted a motion urging the chairman to request that the following measures be considered on the Suspension Calendar: H. Con. Res. 252, amended, Expressing the sense of Congress that the Government of the United States should actively support the aspirations of the democratic political and social forces in the Republic of Nicaragua toward an immediate and full restoration of functioning democracy in that country; H. Res. 192, amended, Expressing the sense of the House of Representatives encouraging the active engagement of Americans in world affairs and urging the Secretary of State to take the lead and coordinate with other governmental agencies and non-governmental organizations in creating on online database of international exchange programs and related opportunities; H. Res. 368, Congratulating the State of Israel on the election of Ambassador Dan Gillerman as Vice-President of the 60th United Nations General Assembly; and H. Res. 472, amended, Recognizing the commencement of Ramadan, the Islamic holy month of fasting and spiritual renewal, and commending Muslims in the United States and throughout the world for their faith.

OVERSIGHT—FEDERAL ROLE AFTER CATASTROPHIC EVENTS AFFECTING FOREST LANDS

Committee on Resources: Subcommittee on Forests and Forest Health held an oversight hearing entitled "Restoration after Recent Hurricanes and other Natural Disasters: Federal Role in Recovery after Catastrophic Events Affecting Forest Lands." Testimony was heard from Lynn Scarlet, Assistant Secretary, Policy, Management, and Budget, Department of the Interior; Dale Bosworth, Chief, Forest Service, USDA; Everard Baker, Acting Forester, State of Mississippi; Max Peterson, former Chief, Forest Service, USDA; and public witnesses.

NOAA HURRICANE FORECASTING

Committee on Science: Held a hearing on NOAA Hurricane Forecasting. Testimony was heard from the following officials of NOAA, Department of Commerce: David L. Johnson, Director, National Weather Service; and Max Mayfield, Director, Hurricane Center.

SMALL BUSINESS AND HURRICANE KATRINA: REBUILDING THE ECONOMY

Committee on Small Business: Held a hearing entitled "Small Businesses and Hurricane Katrina: Rebuilding the Economy." Testimony was heard from Hector V. Barreto, Administrator, SBA; and public witnesses.

GAINSHARING—ALIGNMENT OF PHYSICIAN AND HOSPITAL INTERESTS

Committee on Ways and Means: Subcommittee on Health held a hearing on Gainsharing. Testimony was heard from Lewis Morris, Chief Counsel to the Inspector General, Department of Health and Human Services; and public witnesses.

Joint Meetings

EMPLOYMENT

Joint Economic Committee: Committee concluded hearings to examine the employment-unemployment situation for September 2005, after receiving testimony from Philip Rones, Deputy Commissioner, John Galvin, Associate Commissioner for Employment and Unemployment Statistics, and John Greenlees, Associate Commissioner for Prices and Living Conditions, all of the Bureau of Labor Statistics, Department of Labor.

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Monday, October 17, 2005

Senate

Chamber Action

Routine Proceedings, pages 22761–22874

Measures Introduced: Twelve bills and two resolutions were introduced, as follows: S. 1869–1880, and S. Res. 273–274. **Page 22846**

Measures Reported:

S. 1871, to repeal the increased micropurchase threshold. **Page 22846**

Measures Passed:

Expressing Sympathy to South Asia Earthquake Victims: Senate agreed to S. Res. 274, expressing sympathy and pledging the support of the Senate and the American people to the victims of the devastating earthquake that struck South Asia and caused the severe loss of life and destruction on October 8, 2005, and pledging immediate United States assistance to save lives and help the region recover from this monumental tragedy. **Page 22868**

Transportation/Treasury/HUD Appropriations: Senate began consideration of H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, agreeing to the committee amendment in the nature of a substitute, which will be considered as original text for the purpose of further amendment, and taking action on the following amendments proposed thereto: **Page 22772**

Adopted:

Bond/Murray Amendment No. 2060, to strike section 719, relating to Federal Election Campaign Act contribution requirements. **Page 22825**

By a unanimous vote of 93 yeas (Vote No. 255), Bond Amendment No. 2061, to clarify the ability of HUD to recover assets used in violation of a regulatory agreement. **Pages 22828, 22831**

Pending:

Kyl Amendment No. 2062, to provide that Members of Congress shall not receive a cost-of-living adjustment in pay during fiscal year 2006. **Page 22828**

Kennedy Amendment No. 2063, to provide for an increase in the Federal minimum wage. **Page 22832**

A unanimous-consent agreement was reached providing that at 11 a.m. on Tuesday, October 18, 2005, Senator Brownback be recognized to offer an amendment relative to appropriations for the District of Columbia; that there be 40 minutes of debate divided equally between Senators Brownback and Landrieu; that following the debate the amendment be agreed to and that there be no second-degree amendments to the amendment; provided further, that the time until 12:10 p.m. be equally divided between the Majority Leader, or his designee, and the Democratic Leader, or his designee, and at 12:10 p.m., Senate vote on, or in relation to, Kyl Amendment No. 2062, with no second-degree amendments to the amendment prior to the vote. **Page 22869**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:45 a.m. on Tuesday, October 18, 2005. **Page 22869**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a notification of the President's intent to enter into a free trade agreement with the Sultanate of Oman; which was referred to the Committee on Finance. (PM–26) **Page 22844**

Nominations Received: Senate received the following nominations:

Mark McKinnon, of Texas, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2006.

Mark McKinnon, of Texas, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2009.

Ronald L. Schlicher, of Tennessee, to be Ambassador to the Republic of Cyprus.

Alejandro Daniel Wolff, of California, to be the Deputy Representative of the United States of America to the United Nations, with the rank and status of Ambassador, and the Deputy Representative of the United States of America in the Security Council of the United Nations.

Alejandro Daniel Wolff, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during his tenure of service as Deputy Representative of the United States of America to the United Nations.

Jean B. Elshtain, of Tennessee, to be a Member of the National Council on the Humanities for the remainder of the term expiring January 26, 2010.

Allen C. Guelzo, of Pennsylvania, to be a Member of the National Council on the Humanities for the remainder of the term expiring January 26, 2006.

Allen C. Guelzo, of Pennsylvania, to be a Member of the National Council on the Humanities for a term expiring January 26, 2012.

Eugene Hickok, of Pennsylvania, to be a Member of the National Council on the Humanities for the remainder of the term expiring January 26, 2008.

Two Army nominations in the rank of general.

Routine lists in the Air Force, Army, Foreign Service. **Page 22869**

Nominations Withdrawn: Senate received notification of withdrawal of the following nomination:

Mark McKinnon, of Texas, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2008, which was sent to the Senate on September 6, 2005. **Page 22874**

Messages From the House: **Page 22845**

Measures Referred: **Page 22845**

Enrolled Bills Presented: **Page 22845**

Executive Communications: **Page 22845**

Executive Reports of Committees: **Page 22846**

Additional Cosponsors: **Page 22847**

Statements on Introduced Bills/Resolutions: **Page 22849**

Additional Statements: **Page 22841**

Amendments Submitted: **Page 22867**

Notices of Hearings/Meetings: **Page 22868**

Privilege of the Floor: **Page 22868**

Record Votes: One record vote was taken today. (Total—255) **Page 22831**

Adjournment: Senate convened at 2 p.m., and adjourned at 7:10 p.m., until 9:45 a.m., on Tuesday, October 18, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 22869.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 13 public bills, H.R. 4057–4069; and 6 resolutions, H. Con. Res. 267; and H. Res. 491–492, 495–497, were introduced. **Page 22910**

Additional Cosponsors: **Page 22911**

Reports Filed: Reports were filed today as follows:

H.R. 2383, to redesignate the facility of the Bureau of Reclamation located at 19550 Kelso Road in Byron, California, as the "C.W. 'Bill' Jones Pumping Plant" (H. Rept. 109–247);

H. Res. 493, providing for consideration of the bill (S. 397) to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages, injunctive or other relief resulting from the misuse of their products by others (H. Rept. 109–248); and

H. Res. 494, providing for consideration of the bill (H.R. 554) to prevent legislative and regulatory functions from being usurped by civil liability actions brought or continued against food manufacturers, marketers, distributors, advertisers, sellers, and trade associations for claims of injury relating to a person's weight gain, obesity, or any health condition associated with weight gain or obesity (H. Rept. 109–249). **Page 22910**

Speaker: Read a letter from the Speaker wherein he appointed Representative Petri to act as Speaker pro tempore for today. **Page 22875**

Journal: Agreed to the Speaker's approval of the Journal by a yea-and-nay vote of 317 yeas to 52 nays with 1 voting "present," Roll No. 521. **Pages 22875, 22881**

Meeting Hour: Agreed by unanimous consent that when the House adjourns today, it adjourn to meet at 10:30 a.m. Tuesday, October 18, 2005, for Morning Hour Debate. **Page 22875**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Recognizing the importance and positive contributions of chemistry to our everyday lives and supporting the goals and ideals of National Chemistry Week: H. Res. 457, to recognize the importance and positive contributions of chemistry to our everyday lives and supporting the goals and ideals of National Chemistry Week, by a yea-and-nay vote 366 yeas to 2 nays, Roll No. 522; and **Pages 22876, 22882**

Expressing the sense of the House of Representatives with respect to raising awareness and enhancing the state of computer security in the United States, and supporting the goals and ideals of National Cyber Security Awareness Month: H. Res 491, to express the sense of the House of Representatives with respect to raising awareness and enhancing the state of computer security in the United States, and supporting the goals and ideals of National Cyber Security Awareness Month, by a yea-and-nay vote 354 yeas to 13 nays, Roll No. 523. **Pages 22879, 22883**

Recess: The House recessed at 2:30 p.m., and reconvened at 6:30 p.m. **Page 22881**

Presidential Message: Read a message from the President consistent with the Trade Act of 2002 whereby he notifies the Congress of his intention to enter into a Free Trade Agreement with the Sultanate of Oman—referred to the Committee on Ways and Means and ordered printed (H. Doc. 109–60). **Page 22884**

Quorum Calls—Votes: There were three yea-and-nay votes developed during the proceedings of today and appear on pages 22881–83. There were no quorum calls.

Adjournment: The House met at 2 p.m., and adjourned at 10:59 p.m.

Committee Meetings

PERSONAL RESPONSIBILITY IN FOOD CONSUMPTION ACT OF 2005

Committee on Rules: Granted, by voice vote, a structured rule providing one hour of general debate on H.R. 554, Personal Responsibility in Food Consumption Act of 2005, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as an original bill for the purpose of amendment. The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. The rule provides that the amendments printed in the report may be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Sensenbrenner and Representative Scott of Virginia.

PROTECTION OF LAWFUL COMMERCE IN ARMS ACT

Committee on Rules: Granted, by voice vote, a closed rule providing one hour of debate in the House on S. 397, Protection of Lawful Commerce in Arms Act, equally divided and controlled by the chairman and ranking minority member of the committee on the Judiciary. The rule waives all points of order against consideration of the bill. Finally, the rule provides one motion to recommit. Testimony was heard from Chairman Sensenbrenner and Representative Scott of Virginia.

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Tuesday, October 18, 2005

Senate

Chamber Action

Routine Proceedings, pages 22931–85

Measures Introduced: Six bills and five resolutions were introduced, as follows: S. 1881–1886, and S. Res. 275–279. **Page 22959**

Measures Reported:

S. 1516, to reauthorize Amtrak, with an amendment in the nature of a substitute. (S. Rept. No. 109–143) **Page 22959**

Measures Passed:

Rebirthing Therapy: Senate agreed to S. Res. 276, expressing the sense of the Senate that the attachment therapy technique known as rebirthing is a dangerous practice and should be prohibited. **Page 22983**

Red Ribbon Week: Senate agreed to S. Res. 277, supporting the goals of Red Ribbon Week. **Page 22981**

National Childhood Lead Poisoning Prevention Week: Senate agreed to S. Res. 278, designating the week of October 23, 2005, through October 29, 2005, as "National Childhood Lead Poisoning Prevention Week". **Page 22982**

Authorizing Testimony: Senate agreed to S. Res. 279, to authorize testimony in State of Mississippi v. Edward Statecum. **Page 22982**

Naval Vessels Transfer: Senate passed S. 1886, to authorize the transfer of naval vessels to certain foreign recipients. **Page 22983**

Month of Global Health: Committee on the Judiciary was discharged from further consideration of S. Res. 225, designating the month of November 2005 as the "Month of Global Health", and the resolution was then agreed to. **Page 22983**

Transportation/Treasury/HUD Appropriations: Senate continued consideration of H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, taking action on the following amendments proposed thereto: **Page 22935**

Adopted:

Brownback/Landrieu Amendment No. 2071, to make appropriations for the government of the District of Columbia for the fiscal year ending September 30, 2006. **Page 22935**

By 92 yeas to 6 nays (Vote No. 256), Kyl Amendment No. 2062, to provide that Members of Congress shall not receive a cost-of-living adjustment in pay during fiscal year 2006. **Page 22941**

Bond Amendment No. 2079, to ensure that public housing agencies will receive adequate funding for section 8 project-based vouchers. **Page 22943**

Bond Amendment No. 2109, to provide the Judicial Branch with certain procurement authorities. **Page 22953**

Pending:

Kennedy Modified Amendment No. 2063, to provide for an increase in the Federal minimum wage. **Pages 22935, 22952**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m. on Wednesday, October 19, 2005. **Page 22985**

Messages From the House: **Page 22958**

Executive Communications: **Page 22958**

Executive Reports of Committees: **Page 22959**

Additional Cosponsors: **Page 22960**

Statements on Introduced Bills/Resolutions: **Page 22961**

Additional Statements: **Page 22956**

Amendments Submitted: **Page 22966**

Notices of Hearings/Meetings: **Page 22980**

Authority for Committees to Meet: **Page 22980**

Privilege of the Floor: **Page 22981**

Record Votes: One record vote was taken today. (Total—256) **Page 22943**

Adjournment: Senate convened at 9:46 a.m., and adjourned at 7:16 p.m., until 9:30 a.m., on Wednesday, October 19, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 22985.)

Committee Meetings

CAPITOL VISITOR CENTER

Committee on Appropriations: Subcommittee on Legislative Branch resumed hearings to examine the progress of Capitol Visitor Center construction, focusing on the Architect of the Capitol's progress in managing the project's schedule since the Subcommittee's last hearing, the status of an integrated schedule, fire protection, and cost, receiving testimony from Alan Hartman, Architect, and Bob Hickson, Capitol Visitor Center Project Manager, both of the Office of the Architect of the Capitol; Bernard L. Ungar, Director, and Terrell Dorn, Assistant Director, both of Physical Infrastructure Issues, Government Accountability Office.

Hearings continue on Tuesday, November 15.

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported the following bills:

S. 1562, to provide for the merger of the bank and savings association deposit insurance funds, to modernize and improve the safety and fairness of the Federal deposit insurance system, with an amendment in the nature of a substitute; and

An original bill to require the use of appropriated funds when the Secretary of Housing and Urban Development disposes of certain properties or loans in a discount transaction.

Also, Committee completed its review of certain spending reductions and revenue increases to meet reconciliation expenditures as imposed by H. Con. Res. 95, establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010, and agreed on recommendations which it will make to the Committee on the Budget thereon.

NATIONAL FLOOD INSURANCE PROGRAM

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the future of the National Flood Insurance Program, focusing on reducing losses to the Program resulting from policy subsidies and repetitive loss properties, and developing accurate digital flood maps, after receiving testimony from David I. Maurstad, Acting Director, Federal Insurance Administrator, Mitigation Division, Federal Emergency Management Agency, Emergency Preparedness and Response Directorate, Department of Homeland Security; William O. Jenkins, Jr., Director, Homeland Security and Justice Issues, Government Accountability Office; Chris Landsea, Tropical Prediction Center, National Hurricane Center, National Weather Service, National Oceanic and Atmospheric Administration, Department of Commerce; J. Robert Hunter, Consumer Federation of America, and Douglas J. Elliott, Center on Federal Financial Institutions, both of Washington, D.C.; Robert P. Hartwig, Insurance Information Institute, New York, New York; and Chad Berginnis, Association of State Floodplain Managers, Inc., and Mark J. Browne, University of Wisconsin—Madison School of Business, both of Madison, Wisconsin.

DERIVATIVES MARKET

Committee on Banking, Housing, and Urban Affairs: Subcommittee on International Trade and Finance concluded a hearing to examine growth and development of the derivatives market, focusing on the role of derivatives as a part of risk management for corporations and financial entities, after receiving testimony from James Newsome, New York Mercantile Exchange, Inc., Joseph P. Bauman, JB Risk Consulting, LLC, on behalf of the International Swaps and Derivatives Association, Inc., Paul Bennett, New York Stock Exchange, Inc., and Charles Smithson, Rutter Associates, LLC, all of New York, New York.

WINTER FUELS OUTLOOK

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the winter fuels outlook and the effect of high prices this coming winter, focusing on the Energy Information Administration Short-Term Energy Outlook and Winter Fuels Outlook which provides energy supply, demand and price projections and winter fuel expenditure expectations, after receiving testimony from Guy Caruso, Administrator, Energy Information Administration, Department of Energy; Tom Kuhn, Edison Electric Institute, Washington, D.C.; Laurence M. Downes, New Jersey Resources, Wall, on behalf of the American Gas Association; Peter R. Smith, New York State Energy Research and Development Authority, Albany, on behalf of the National Association of State Energy Officials; and Jack Sullivan, New England Fuel Institute, Watertown, Massachusetts.

ENERGY POLICY

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the national capacity for producing innovation in energy technologies and the importance of this innovation to our global economic competitiveness, including the results of a recent related National Academy of Sciences report, after receiving testimony from Ralph Cicerone, National Academy of Sciences and National Research Council, Washington, D.C.; and Norman R. Augustine, Lockheed Martin Corporation, Bethesda, Maryland.

BUSINESS MEETING

Committee on Environment and Public Works: Committee ordered favorably reported an original bill to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, to make technical corrections.

GAS PETROLEUM REFINER IMPROVEMENT AND COMMUNITY EMPOWERMENT ACT

Committee on Environment and Public Works: Committee concluded a hearing to examine S. 1772, to streamline the refinery permitting process, after receiving testimony from Brian Mannix, Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency; Colorado State Senator Shawn Mitchell, Broomfield; Eric Shaeffer, Environmental Integrity Project, Washington, D.C.; and Jonathan H. Adler, Case Western Reserve University School of Law, Cleveland, Ohio.

NOMINATIONS

Committee on Finance: Committee concluded a hearing to examine the nominations of James S. Halpern, of the District of Columbia, to be a Judge of the United States Tax Court, Susan C. Schwab, of Maryland, who was introduced by Representative Hoyer, and Karan K. Bhatia, of Maryland, each to be Deputy United States Trade Representative, with the Rank of Ambassador, Franklin L. Lavin, of Ohio, to be Under Secretary of Commerce for International Trade, who was introduced by Senator DeWine, and Clay Lowery, of Virginia, to be a Deputy Under Secretary of the Treasury, after the nominees testified and answered questions in their own behalf.

UNITED NATIONS REFORM

Committee on Foreign Relations: Committee concluded a briefing and hearing to examine prospects for United Nations reform, focusing on improving the management structure and oversight capacity of the United Nations, and challenges and opportunities in moving ahead on United Nations reform, after receiving testimony from Paul A. Volcker, Chairman, Independent Inquiry Committee into the United Nations Oil-For-Food Program, United Nations; and John R. Bolton, U.S. Permanent Representative to the United Nations, Department of State.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported the following business items:

S. 1873, to prepare and strengthen the biodefenses of the United States against deliberate, accidental, and natural outbreaks of illness, with an amendment in the nature of a substitute; and

The nominations of Mark Hofflund, of Idaho, to be a Member of the National Council on the Arts, Naomi Churchill Earp, of Virginia, and Christine M. Griffin, of Massachusetts, each to be a Member of the Equal Employment Opportunity Commission, Jan Cellucci, of Massachusetts, Sandra Frances Ashworth, of Idaho, and Diane Rivers, of Arkansas, each to be a Member of the National Commission on Libraries and Information Science, Bertha K. Madras, of Massachusetts, to be Deputy Director for Demand Reduction, Office of National Drug Control Policy, Mark S. Schneider, of the District of Columbia, to be Commissioner of Education Statistics, Department of Education, Bruce Cole, of Indiana, to be Chairperson of the National Endowment for the Humanities, and John O. Agwunobi, of Florida, to be Assistant Secretary of Health and Human Services for Health.

Also, Committee completed its review of certain spending reductions and revenue increases to meet reconciliation expenditures as imposed by H. Con. Res. 95, establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010, and agreed on recommendations which it will make to the Committee on the Budget thereon.

IMMIGRATION REFORM

Committee on the Judiciary: Committee concluded a hearing to examine comprehensive immigration reform, focusing on border security, interior enforcement and immigration reform, after receiving testimony from Michael Chertoff, Secretary of Homeland Security; Elaine L. Chao, Secretary of Labor; Frank Sharry, National Immigration Forum, and Mark Krikorian, Center for Immigration Studies, both of Washington, D.C.; and Douglas S. Massey, Princeton University, Princeton, New Jersey.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of James F.X. O'Gara, of Pennsylvania, to be Deputy Director for Supply Reduction, Office of National Drug Control Policy, and Julie L. Myers, of Kansas, to be Assistant Secretary for Immigration and Customs Enforcement, and Emilio T. Gonzalez, of Florida, to be Director of the Bureau of Citizenship and Immigration Services, who was introduced by Senator Martinez and Representative Ros-Lehtinen, both of the Department of Homeland Security, after the nominees testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on Veterans' Affairs: Committee ordered favorably reported the nominations of William F. Tuerk, of Virginia, to be Under Secretary for Memorial Affairs, Robert Joseph Henke, of Virginia, to be an Assistant Secretary for Management, John M. Molino, of Virginia, to be an Assistant Secretary for Policy and Planning, Lisette M. Mondello, of Texas, to be an Assistant Secretary for Public and Intergovernmental Affairs, and George J. Opfer, of Virginia, to be Inspector General, all of the Department of Veterans Affairs.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 7 public bills, H.R. 4070–4076; and 4 resolutions, H. Con. Res. 268; and H. Res. 498–500 were introduced. **Page 23058**

Additional Cosponsors: **Page 23059**

Reports Filed: Reports were filed today as follows:

H.R. 1400, to amend title 18, United States Code, to provide penalties for aiming laser pointers at airplanes, with an amendment (H. Rept. 109–250); and

H.R. 3647, to render nationals of Denmark eligible to enter the United States as nonimmigrant traders and investors, with an amendment (Rept. 109–251). **Page 23058**

Speaker: Read a letter from the Speaker wherein he appointed Representative Price of Georgia to act as Speaker pro tempore for today. **Page 22986**

Recess: The House recessed at 11:17 a.m. and reconvened at 12 noon. **Page 22991**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Assistance for Orphans and Other Vulnerable Children in Developing Countries Act of 2005: H.R. 1409, amended, to amend the Foreign Assistance Act of 1961 to provide assistance for orphans and other vulnerable children in developing countries, by a yea-and-nay vote of 415 yeas to 9 nays, Roll No. 525; **Pages 22994, 23028**

Mourning the loss of life caused by the earthquake that occurred on October 8, 2005, in Pakistan and India, expressing the condolences of the American people to the families of the victims, and urging assistance to those affected: H. Res. 492, to mourn the loss of life caused by the earthquake that occurred on October 8, 2005, in Pakistan and India, expressing the condolences of the American people to the families of the victims, and urging assistance to those affected, by a yea-and-nay vote of 423 yeas with none voting "nay", Roll No. 526; **Pages 23002, 23029**

Santa Ana River Water Supply Enhancement Act of 2005: H.R. 177, amended, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Prado Basin Natural Treatment System Project, to authorize the Secretary to carry out a program to assist agencies in projects to construct regional brine lines in California, to authorize the Secretary to participate in the Lower Chino Dairy Area desalination demonstration and reclamation project; **Page 23006**

Rocky Mountain National Park Boundary Adjustment Act of 2005: S. 55, to adjust the boundary of Rocky Mountain National Park in the State of Colorado—clearing the measure for the President; **Page 23008**

Ojito Wilderness Act: S. 156, to designate the Ojito Wilderness Study Area as wilderness, to take certain land into trust for the Pueblo of Zia—clearing the measure for the President; **Page 23009**

Extending through March 31, 2006, the authority of the Secretary of the Army to accept and expend funds contributed by non-Federal public entities and to expe-

dite the processing of permits: H.R. 3765, amended by the Senate, to extend through March 31, 2006, the authority of the Secretary of the Army to accept and expend funds contributed by non-Federal public entities and to expedite the processing of permits; **Page 23011**

William F. Clinger, Jr. Post Office Building Designation Act: H.R. 3549, to designate the facility of the United States Postal Service located at 210 West 3rd Avenue in Warren, Pennsylvania, as the "William F. Clinger, Jr. Post Office Building", by a yea-and-nay vote of 422 yeas to 1 nay, Roll No. 527; **Pages 23012, 23029**

U.S. Cleveland Post Office Building Designation Act: H.R. 3830, to designate the facility of the United States Postal Service located at 130 East Marion Avenue in Punta Gorda, Florida, as the "U.S. Cleveland Post Office Building"; **Page 23015**

Willie Vaughn Post Office Designation Act: H.R. 3853, to designate the facility of the United States Postal Service located at 208 South Main Street in Parkdale, Arkansas, as the "Willie Vaughn Post Office Building", by a yea-and-nay vote of 421 yeas with none voting "nay", Roll No. 528; and **Pages 23016, 23030**

Recognizing the South Carolina Farm Bureau Mutual Insurance Company on the occasion of its 50th anniversary and saluting the outstanding service of the Company to the people of South Carolina: H. Res. 300, to recognize the South Carolina Farm Bureau Mutual Insurance Company on the occasion of its 50th anniversary and saluting the outstanding service of the Company to the people of South Carolina. **Page 23018**

Protection of Lawful Commerce in Arms Act: The House agreed to H. Res. 493, the rule that is providing for consideration of S. 397, to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages, injunctive or other relief resulting from the misuse of their products by others, by a voice vote, after agreeing to order the previous question. **Page 23019**

Personal Responsibility in Food Consumption Act of 2005: The House agreed to H. Res. 494, the rule that is providing for consideration of H.R. 554, to prevent legislative and regulatory functions from being usurped by civil liability actions brought or continued against food manufacturers, marketers, distributors, advertisers, sellers, and trade associations for claims of injury relating to a person's weight gain, obesity, or any health condition associated with weight gain or obesity, by a yea-and-nay vote of 310 yeas to 114 nays, Roll No. 524, after agreeing to order the previous question. **Page 23024**

Recess: The House recessed at 3:54 p.m. and reconvened at 5:30 p.m. **Page 23027**

Quorum Calls—Votes: Five yea-and-nay votes developed during the proceedings today and appear on pages 23027–31. There were no quorum calls.

Adjournment: The House met at 10:30 a.m. and adjourned at 10:35 p.m.

Committee Meetings

THOROUGHBRED HORSE RACING JOCKEYS AND WORKERS

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "Thoroughbred Horse Racing Jockeys and Workers: Examining On-Track Injury Insurance and Other Health and Welfare Issues." Testimony was heard from public witnesses.

FINANCIAL SERVICES REGULATORY RELIEF ACT OF 2005

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing on H.R. 3505, Financial Services Regulatory Relief Act of 2005. Testimony was heard from public witnesses.

IRAQ: PERCEPTIONS, REALITIES AND COST TO COMPLETE

Committee on Government Reform: Subcommittee on National Security, Emerging Threats, and International Relations held a hearing entitled "Iraq: Perceptions, Realities and Cost to Complete." Testimony was heard from the following officials of the Department of State: Howard J. Krongard, Inspector General; and Joseph Farinella, Acting Inspector General, Audit, U.S. Agency for International Development; the following officials of the Department of Defense: Stuart W. Bowen, Jr., Special Inspector General for Iraq Reconstruction; Thomas Gimble, Acting Inspector General; and Joyce Morrow, U.S. Army Auditor General; Joseph Christoff, Director, International Trade, GAO; and public witnesses.

BRIEFING—RECENT SUBWAY TERROR THREAT WARNINGS

Committee on Homeland Security: Met in executive session to receive a briefing on the recent subway terror threat warnings and related actions. The Committee was briefed by departmental witnesses.

SCADA AND THE TERRORIST THREAT

Committee on Homeland Security: Subcommittee on Economic Security, Infrastructure Protection and Cybersecurity and the Subcommittee on Emergency Preparedness, Science, and Technology held a joint hearing entitled "SCADA and the Terrorist Threat: Protecting the Nation's Critical Control Systems." Testimony was heard from Donald Purdy, Acting Director, National Cyber Security Division, Department of Homeland Security; Larry Todd, Director, Security, Safety and Law Enforcement, Bureau of Reclamation, Department of the Interior; Sam

Varnado, Director, Information Operations Center, Sandia National Laboratory; K.P. Ananth, Associate Laboratory Director, National and Homeland Security, Idaho National Laboratory; and public witnesses.

BRIEFING—BIODEFENSE FOR THE 21ST CENTURY

Committee on Homeland Security: Subcommittee on Prevention of Nuclear and Biological Attack met in executive session to receive a briefing on Homeland Security Presidential Directive-10, "Biodefense for the 21st Century." The Committee was briefed by departmental witnesses.

OVERSIGHT—VOTING RIGHTS ACT—EXAMINE IMPACT AND EFFECTIVENESS

Committee on the Judiciary: Subcommittee on the Constitution held an oversight hearing entitled "To Examine the Impact and Effectiveness of the Voting Rights Act." Testimony was heard from Jack Kemp, former Secretary of Housing and Urban Development; Joe Rogers, former Lieutenant Governor, State of Colorado; and public witnesses.

REBUILDING NEW ORLEANS—VISION AND STRATEGY

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment and the Subcommittee on Economic Development, Public Buildings and Emergency Management held a joint hearing entitled "A Vision and Strategy for Rebuilding New Orleans." Testimony was heard from Representatives Baker and Jefferson; the following officials of the State of Louisiana: Kathleen Babineaux Blanco, Governor; Mitchell J. Landrieu, Lieutenant Governor; and C. Ray Nagin, Mayor, New Orleans; and public witnesses.

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Wednesday, October 19, 2005

Senate

Chamber Action

Routine Proceedings, pages 23145–23244

Measures Introduced: Eleven bills and three resolutions were introduced, as follows: S. 1887–1897, S. Res. 280–281, and S. Con. Res. 59. **Page 23203**

Measures Reported:

S. 206, to designate the Ice Age Floods National Geologic Trail, with an amendment in the nature of a substitute. (S. Rept. No. 109–144)

S. 242, to establish 4 memorials to the Space Shuttle Columbia in the State of Texas, with an amendment in the nature of a substitute. (S. Rept. No. 109–145)

S. 584, to require the Secretary of the Interior to allow the continued occupancy and use of certain land and improvements within Rocky Mountain National Park, with an amendment in the nature of a substitute. (S. Rept. No. 109–146)

S. 652, to provide financial assistance for the rehabilitation of the Benjamin Franklin National Memorial in Philadelphia, Pennsylvania, and the development of an exhibit to commemorate the 300th anniversary of the birth of Benjamin Franklin. (S. Rept. No. 109–147)

S. 895, to direct the Secretary of the Interior to establish a rural water supply program in the Reclamation States to provide a clean, safe affordable, and reliable water supply to rural residents, with an amendment in the nature of a substitute. (S. Rept. No. 109–148)

S. 955, to direct the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of including in the National Park System certain sites in Williamson County, Tennessee, relating to the Battle of Franklin, with an amendment. (S. Rept. No. 109–149)

S. 958, to amend the National Trails System Act to designate the Star-Spangled Banner Trail in the States of Maryland and Virginia and the District of Columbia as a National Historic Trail, with amendments. (S. Rept. No. 109–150)

S. 1154, to extend the Acadia National Park Advisory Commission, to provide improved visitor services at the park, with amendments. (S. Rept. No. 109–151)

S. 1238, to amend the Public Lands Corps Act of 1993 to provide for the conduct of projects that protect forests, with amendments. (S. Rept. No. 109–152)

S. 1627, to authorize the Secretary of the Interior to conduct a special resources study to evaluate resources along the coastal region of the State of Delaware and to determine the suitability and feasibility of establishing a unit of the National Park System in Delaware. (S. Rept. No. 109–153)

H.R. 126, to amend Public Law 89–366 to allow for an adjustment in the number of free roaming horses permitted in Cape Lookout National Seashore. (S. Rept. No. 109–154)

H.R. 539, to designate certain National Forest System land in the Commonwealth of Puerto Rico as components of the National Wilderness Preservation System. (S. Rept. No. 109–155)

H.R. 584, to authorize the Secretary of the Interior to recruit volunteers to assist with, or facilitate, the activities of various agencies and offices of the Department of the Interior. (S. Rept. No. 109–156)

H.R. 606, to authorize appropriations to the Secretary of the Interior for the restoration of the Angel Island Immigration Station in the State of California. (S. Rept. No. 109–157) **Page 23202**

Measures Passed:

Federal Leave Transfer Program: Senate passed S. 1736, to provide for the participation of employees in the judicial branch in the Federal leave transfer program for disasters and emergencies. **Page 23241**

Supporting Lights On Afterschool: Senate agreed to S. Res. 280, supporting "Lights On Afterschool", a national celebration of after school programs. **Page 23241**

Honoring James Patrick Rohan: Senate agreed to S. Res. 281, honoring and thanking James Patrick Rohan. **Page 23241**

Foster Care Maintenance Payments: Senate passed S. 1894, to amend part E of title IV of the Social Security Act to provide for the making of foster care maintenance payments to private for-profit agencies. **Page 23241**

State High Risk Pool Funding Extension: Senate passed H.R. 3204, to amend title XXVII of the Public Health Service Act to extend Federal funding for the establishment and operation of State high risk health insurance pools, after agreeing to the following amendment proposed thereto: **Page 23242**

McConnell (for Enzi) Amendment No. 2142, in the nature of a substitute. **Page 23243**

Transportation/Treasury/HUD Appropriations: Senate continued consideration of H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, taking action on the following amendments proposed thereto: **Page 23154**

Adopted:

Bond Amendment No. 2113, to limit the availability of funds under this Act for use in paying for eminent domain activities. **Page 23154**

Harkin Amendment No. 2076, to provide that no funds may be used to provide assistance under section 8 of the United States Housing Act of 1937, to certain students at institutions of higher education. **Page 23192**

Bond (for Collins) Amendment No. 2070, to repeal the increased micropurchase threshold. **Page 23193**

Bond (for Akaka/Bingaman) Modified Amendment No. 2101, to provide for an Internal Revenue Service report regarding tax refund procedures and practices. **Page 23193**

Bond (for Boxer) Amendment No. 2139, to ensure that proper precautions are taken by airports and air carriers to recognize and prevent the spread of avian flu. **Page 23194**

Bond (for Inhofe) Modified Amendment No. 2073, to make available funds for ARAC operation and maintenance at Fort Sill, Oklahoma. **Page 23194**

Bond (for Stabenow) Amendment No. 2140, to provide additional funds to support programs established under the LEGACY Act of 2003. **Page 23194**

Bond (for Craig) Modified Amendment No. 2072, to require the use of a sliding scale match ratio for certain transportation projects in the State of Idaho. **Page 23194**

Murray Amendment No. 2141, to require the United States Interagency Council on Homelessness to conduct an assessment of guidance disseminated by agencies for grantees of homeless assistance programs. **Page 23196**

Pending:

Reed Amendment No. 2077, to provide for appropriations for the Low-Income Home Energy Assistance Program. **Page 23164**

Subsequently, a point of order was raised that the emergency designation contained in Reed Amendment No. 2077 (listed above), violated Section 402 of H. Con. Res. 95, Congressional Budget for Fiscal Year 2006; and a motion to waive was then offered. **Page 23168**

Dorgan Amendment No. 2133, to restrict enforcement of the Cuban Assets Control Regulations with respect to travel to Cuba. **Page 23169**

During consideration of this measure today, Senate also took the follow action:

By 47 yeas to 51 nays (Vote No. 257), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 403(b)(1) of H. Con. Res. 95 of the 109th Congress, with respect to Kennedy Further Modified Amendment No. 2063, to provide for an increase in the Federal minimum wage. Subsequently, the point of order that the amendment constitutes an unfunded mandate was sustained, and the amendment thus fell. **Pages 23172, 23190**

By 42 yeas to 57 nays (Vote No. 258), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 403(b)(1) of H. Con. Res. 95 of the 109th Congress, with respect to Enzi Amendment No. 2115, to promote job creation, and small business preservation in the adjustment of the Federal minimum wage. Subsequently, the point of order that the amendment constitutes an unfunded mandate was sustained, and the amendment thus fell. **Page 23191**

By 44 yeas to 54 nays (Vote No. 259), two-thirds of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to suspend paragraph 4, Rule XVI, pursuant to notice previously given in writing, relative to Dorgan Amendment No. 2078, to establish a special committee of the Senate on war and reconstruction contracting. Subsequently, the Chair sustained the point of order that the amendment was in violation of Rule XVI of the Standing Rules of the Senate which prohibits legislation on appropriations matters, and the amendment thus fell. **Page 23188**

Chair sustained the point of order against Dayton Amendment No. 2123, to prevent gas and oil gouging during natural disasters; that the amendment violated Rule XVI of the Standing Rules of the Senate which prohibits legislation on an appropriation bill. **Page 23195**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 9:30 a.m. on Thursday, October 20, 2005. **Page 23244**

Medicare Cost Sharing and Welfare Extension: Senate concurred in the amendments of the House to the Senate amendment to H.R. 3971, to extend medicare cost-sharing for qualifying individuals through September 2007, to extend transitional medical assistance and the program for abstinence education through December 2005, to provide unemployment relief for States and individuals affected by Hurricane Katrina, clearing the measure for the President. **Page 23240**

Signing Authority: A unanimous-consent agreement was reached providing that during the adjournment of the Senate, the Majority Leader and the junior Senator from Oklahoma, be authorized to sign duly enrolled bills. **Page 23240**

Appointments:

National Surface Transportation Policy and Revenue Study Commission: The Chair, on behalf of the Democratic Leader, pursuant to Public Law 109–59, Sec. 1909(b)(2)(A)(vi), appointed the following individuals to serve as members of the National Surface Transportation Policy and Revenue Study Commission: Francis McArdle of New York, and Tom R. Skancke of Nevada. **Page 23241**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report relative to the continuation of the national emergency declared in Executive Order 12978 with respect to significant narcotics traffickers centered in Colombia; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–27) **Page 23201**

Nominations Received: Senate received the following nominations:

Anne W. Patterson, of Virginia, to be an Assistant Secretary of State (International Narcotics and Law Enforcement Affairs).

1 Air Force nomination in the rank of general.

A routine list in the Army. **Page 23244**

Messages From the House: **Page 23201**

Measures Referred: **Page 23201**

Enrolled Bills Presented: **Page 23201**

Executive Communications: **Page 23201**

Executive Reports of Committees: **Page 23202**

Additional Cosponsors: **Page 23203**

Statements on Introduced Bills/Resolutions: **Page 23205**

Additional Statements: **Page 23200**

Amendments Submitted: **Page 23224**

Notices of Hearings/Meetings: **Page 23239**

Authority for Committees to Meet: **Page 23240**

Privilege of the Floor: **Page 23240**

Record Votes: Three record votes were taken today. (Total—259) **Pages 23190–92**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 6:55 p.m., until 9:30 a.m., on Thursday, October 20, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 23244.)

Committee Meetings

BUSINESS MEETING

Committee on Agriculture, Nutrition, and Forestry: Committee completed its review of certain spending reductions and revenue increases to meet reconciliation expenditures as imposed by H. Con. Res. 95, establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010, and agreed on recommendations which it will make to the Committee on the Budget thereon.

STEM CELL RESEARCH

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Agencies concluded a hearing to examine the potential of stem cell and nuclear transplantation research, focusing on related provisions of S. 471, to amend the Public Health Service Act to provide for human embryonic stem cell research, H.R. 810, to amend the Public Health Service Act to provide for human embryonic stem cell research, and S. 876, to prohibit human cloning and protect stem cell research, after receiving testimony from Judith Gasson, University of California, Comprehensive Cancer Center, Los Angeles; Steven Teitelbaum, Washington University, St. Louis, Missouri; John Wagner, University of Minnesota Medical School Stem Cell Institute, Minneapolis; Rudolf Jaenisch, Massachusetts Institute of Technology, Cambridge; and Anthony Herrera, New York, New York.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee completed its review of certain spending reductions and revenue increases to meet reconciliation expenditures as imposed by H. Con. Res. 95, establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010, and agreed on recommendations which it will make to the Committee on the Budget thereon.

U.S.-IRAQ POLICY

Committee on Foreign Relations: Committee concluded a hearing to examine United States foreign policy relating to Iraq, focusing on United States' objectives and strategies to improve security, and advance political development and economic progress in Iraq, and to discuss the recent Constitutional referendum, and assess the enemies progress in Iraq, after receiving testimony from Condoleezza Rice, Secretary of State.

NOMINATION

Committee on Foreign Relations: Committee concluded a hearing to examine the nomination of David M. Hale, of New Jersey, to be Ambassador to the Hashemite Kingdom of Jordan, after the nominee testified and answered questions in his own behalf.

REPORTERS' PRIVILEGE

Committee on the Judiciary: Committee concluded a hearing to examine issues and implications regarding reporters' privilege legislation, focusing on S. 1419, to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media, after receiving testimony from Chuck Rosenberg, United States Attorney for the Southern District of Texas, Department of Justice; Judith Miller, The New York Times, and David Westin, ABC News, both of New York, New York; Joseph E. diGenova, diGenova & Toensing LLP, Washington, D.C.; Anne K. Gordon, The Philadelphia Inquirer, Philadelphia, Pennsylvania; Dale Davenport, The Patriot-News, Harrisburg, Pennsylvania; and Steven D. Clymer, Cornell Law School, Ithaca, New York.

VIDEO COMPETITION

Committee on the Judiciary: Subcommittee on Antitrust, Competition, and Business and Consumer Rights concluded a hearing to examine video competition in 2005, focusing on the impact for consumers of the acquisition of Adelphia by Comcast and Time Warner, policies to ensure new competitors in the video market, and the transformation in the cable industry including new products and more choices as cable operators compete, after receiving testimony from Glenn A. Britt, Time Warner Cable, Stamford, Connecticut; Kyle McSlarrow, National Cable and Telecommunications Association, Walter B. McCormick, Jr., United States Telecom Association, Scott Cleland, Precursor, and Mark Cooper, Consumer Federation of America, all of Washington, D.C.; Doron Gorshein, The America Channel, LLC, Heathrow, Florida; and Peter D. Aquino, RCN Corporation, Herndon, Virginia.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 13 public bills, H.R. 4077–4089; and 3 resolutions, H. Res. 501–503 were introduced. **Page 23143**

Additional Cosponsors: **Page 23144**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Miller of Michigan to act as Speaker pro tempore for today. **Page 23077**

Chaplain: The prayer was offered today by Rev. Joseph L. Logrip, Pastor, Immaculate Conception Church, Levittown, Pennsylvania. **Page 23077**

Personal Responsibility in Food Consumption Act of 2005: The House passed H.R. 554, to prevent legislative and regulatory functions from being usurped by civil liability actions brought or continued against food manufacturers, marketers, distributors, advertisers, sellers, and trade associations for claims of injury relating to a person's weight gain, obesity, or any health condition associated with weight gain or obesity, by a yea-and-nay vote of 306 yeas to 120 nays, Roll No. 533. **Page 23081**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as an original bill for the purpose of amendment. **Page 23086**

Agreed to:

Sensenbrenner Manager's amendment (No. 1 printed in H. Rept. 109–249) which makes technical changes to the section of the bill that sets out the types of information a plaintiff must provide to a judge to allow the court to determine whether the lawsuit should proceed or be dismissed. It clarifies that the pleading provision in H.R. 554 is meant to apply to all cases seeking obesity-related damages. The amendment adds the phrase "for each defendant and cause of action" to clarify that a judge must apply H.R. 554's pleading requirements to each specific claim. This prevents a plaintiff from improperly using a claim that is not barred by H.R. 554 as a means of pursuing obesity-related claims that are barred by H.R. 554 against the same or other defendants. **Page 23087**

Rejected:

Jackson-Lee of Texas amendment (No. 2 printed in H. Rept. 109–249) which sought to prohibit the food industry from initiating lawsuits against any person for damages or other relief due to injury or potential injury based on a person's consumption of a qualified food product and weight gain, obesity, or any health condition that is associated with a person's weight gain or obesity (by a recorded vote of 67 ayes to 357 noes, Roll No. 529); **Pages 23088, 23093**

Filner amendment (No. 3 printed in H. Rept. 109–249) which sought to exempt those who are age eight and under from the provisions of this Act as it relates to large chain outlets (by a recorded vote of 129 ayes to 298 noes, Roll No. 530); **Pages 23089, 23094**

Scott of Virginia amendment (No. 4 printed in H. Rept. 109–249) which sought to exempt State law enforcement actions from the impact of the legislation to ensure that Attorneys General and State agencies can enforce State consumer protection laws concerning mislabeling or other unfair and deceptive trade practices (by a recorded vote of 192 ayes to 234 noes, Roll No. 531); and **Pages 23091, 23095**

Waxman amendment (No. 5 printed in H. Rept. 109–249) which sought to exempt lawsuits involving a dietary supplement relating to a person's weight gain, obesity or any health condition associated with weight gain or obesity (by a recorded vote of 177 ayes to 247 noes, Roll No. 532). **Pages 23092, 23095**

The amendment in the nature of a substitute, as amended, was adopted. **Page 23096**

H. Res. 494, the rule providing for consideration of the bill was agreed to on Tuesday, October 18th.

Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2006—Motion to go to Conference: The House disagreed to the Senate amendment and agreed to a conference on H.R. 2744, to make appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006. **Page 23097**

Further proceedings on the DeLauro motion to instruct conferees on H.R. 2744, were postponed until tomorrow, Thursday, October 20th. **Page 23103**

Suspensions: The House agreed to suspend the rules and pass the following measure:

Providing for the concurrence by the House with amendments in the amendment of the Senate to H.R. 3971: H. Res. 501, to provide for the concurrence by the House with amendments in the amendment of the Senate to H.R. 3971. **Page 23103**

Recess: The House recessed at 2:23 p.m. and reconvened at 4:15 p.m. **Page 23107**

Presidential Message: Read a message from the President concerning a notice of the Continuation of the National Emergency with Respect to Significant Narcotics Traffickers Centered in Colombia—referred to the Committee on International Relations and ordered printed (H. Doc. 109–61). **Page 23108**

Senate Messages: Messages received from the Senate today appear on pages 23089 and 23136.

Senate Referrals: S. 1886 was referred to Committee on International Relations. **Page 23141**

Quorum Calls—Votes: One yea-and-nay vote and four recorded votes developed during the proceedings of today and appear on pages 23093–97. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 9:05 p.m.

Committee Meetings

DEFENSE HEALTH PROGRAM OVERVIEW

Committee on Armed Services: Subcommittee on Military Personnel held a hearing on the defense health program overview. Testimony was heard from the following officials of the Department of Defense: William Winkenwerder, Jr., M.D., Assistant Secretary, Health Affairs; MG Joseph G. Webb, Jr., USA, Deputy Surgeon General, Department of the Army; VADM Donald C. Arthur, USN, Surgeon General, Department of the Navy; and LTG George P. Taylor, USAF, Surgeon General, Department of the Air Force; and public witnesses.

BUDGET RECONCILIATION; PERSONAL RESPONSIBILITY, WORK, AND FAMILY PROMOTION ACT

Committee on Education and the Workforce: Began mark up of amendments to the Social Security Act, Welfare Reform regarding the Committee's Instructions pursuant to the Conference Report on H. Con. Res. 95, Establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010, H.R. 240, Personal Responsibility, Work, and Family Promotion Act of 2005.

Will continue tomorrow.

PROTECTING PROPERTY RIGHTS AFTER KELO

Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protection held a hearing entitled "Protecting Property Rights After Kelo." Testimony was heard from public witnesses.

ENERGY/WINTER FUELS OUTLOOK

Committee on Energy and Commerce: Subcommittee on Energy and Air Quality held a hearing entitled "EIA's Report on Short-term Energy Outlook and Winter Fuels Outlook." Testimony was heard from Guy F. Caruso, Administrator, Energy Information Administration, Department of Energy.

PETROLEUM REFINERY CAPACITY INVESTMENTS

Committee on Government Reform: Subcommittee on Energy and Resources held a hearing entitled "Petroleum Refineries: Will Record Profits Spur Investment in New Capacity?" Testimony was heard from public witnesses.

FEDERALISM AND DISASTER RESPONSE

Committee on Homeland Security: Held a hearing entitled " Federalism and Disaster: Response: Examining the Rules and Responsibilities of Local, State, and Federal Agencies." Testimony was heard from the following Governors: Jeb Bush, Florida; Rick Perry, Texas; and Janet Napolitano, Arizona; and public witnesses.

HOMELAND SECURITY DEPARTMENT—ROLE OF CHIEF INTELLIGENCE OFFICER

Committee on Homeland Security: Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment and the Subcommittee on Terrorism, Human Intelligence, Analysis and Counterintelligence of the Permanent Select Committee on Intelligence, joint hearing entitled "The Department of Homeland Security Second Stage Review: The Role of the Chief Intelligence Officer." Testimony was heard from Charles Allen, Chief Intelligence Officer, Department of Homeland Security; and a public witness.

CARIBBEAN REGION POLICY REVIEW

Committee on International Relations: Subcommittee on the Western Hemisphere held a hearing on Policy Overview of the Caribbean Region. Testimony was heard from the following officials of the Department of State: Adolfo A. Franco, Assistant Administrator, Bureau for Latin America and the Caribbean, U.S. Agency for International Development; and Dan Fisk, Deputy Assistant Secretary, Bureau of Western Hemisphere Affairs; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Ordered reported the following measures: H. Con. Res. 267, amended, Expressing the sense of the Congress upholding the Makah Tribe treaty rights; H.R. 323, To redesignate the Ellis Island Library on the third floor of the Ellis Island Immigration Museum, located on Ellis Island in New York Harbor, as the "Bob Hope Memorial Library"; H.R. 326, amended, To amend the Yuma Crossing National Heritage Area Act of 2000 to adjust the boundary of the Yuma Crossing National Heritage Area and to extend the authority of the Secretary of the Interior to provide assistance under that Act; H.R. 679, To direct the Secretary of the Interior to convey a parcel of real property to Beaver County, Utah; H.R. 1096, amended, Act Commemorating the LITE; H.R. 1183, To require the Secretary of the Interior to provide public access to Navassa National Wildlife Refuge and Desecheo National Wildlife Refuge; H.R. 1436, To remove certain use restrictions on property located in Navajo County, Arizona; H.R. 1564, Yakima-Tieton Irrigation District Conveyance Act of 2005; H.R. 1972, amended, Franklin National Battlefield Study Act; H.R. 3443, To direct the Secretary of the Interior to convey certain water distribution facilities to the Northern Colorado Water Conservancy District; H.R. 3818, amended, Forest Service Partnership Enhancement Act of 2005; and S. 229, Albuquerque Biological Park Title Clarification Act.

STATUS—OFFICE OF DIRECTOR OF NATIONAL INTELLIGENCE

Permanent Select Committee on Intelligence: Subcommittee on Oversight held a hearing entitled "Status of the Office of the Director of National Intelligence." Testimony was heard from former Speaker of the House Newt Gingrich of Georgia; and public witnesses.

HURRICANE KATRINA

Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina: Continued hearings on Hurricane Katrina. Testimony was heard from Michael Chertoff, Secretary of Homeland Security.

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Thursday, October 20, 2005

Senate

Chamber Action

Routine Proceedings, pages 23317–23420

Measures Introduced: Eight bills and two resolutions were introduced, as follows: S. 1898–1905, and S. Res. 282–283. **Page 23383**

Measures Reported:

Report to accompany S. 1736, to provide for the participation of employees in the judicial branch in the Federal leave transfer Program for disasters and emergencies. (S. Rept. No. 109–158)

S. 443, to improve the investigation of criminal antitrust offenses.

S. 1086, to improve the national program to register and monitor individuals who commit crimes against children or sex offenses, with an amendment in the nature of a substitute.

S. 1326, to require agencies and persons in possession of computerized data containing sensitive personal information, to disclose security breaches where such breach poses a significant risk of identity theft. **Page 23383**

Measures Passed:

Transportation/Treasury/HUD/DC Appropriations: By 93 yeas to 1 nay (Vote No. 264), Senate passed H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, after taking action on the following amendments proposed thereto: **Page 23319**

Adopted:

Stabenow Amendment No. 2149, to provide resources to the Administration so that the Administration can enforce existing trade agreements and obligations, related to trade violations involving currency manipulation, counterfeiting of manufactured products, and pirating of intellectual property. **Page 23319**

Coburn Amendment No. 2087, to limit the Department of Housing and Urban Development's funding for conferences. **Page 23324**

Grassley/Dorgan Modified Amendment No. 2160, to require the division of the court to release the Henry Cisneros independent counsel investigation report and terminate the investigation by the independent counsel. **Pages 23338, 23334**

Bond (for Reed) Amendment No. 2162, to require a legal basis for the application of arbitrage bond regulations to reserve funds held by the Clean Water and Safe Drinking Water State revolving funds. **Page 23350**

Bond/Murray Amendment No. 2174, to provide that the Administrator of General Services require all credible sustainable building rating systems that award credits for certified wood products in the rating system be included in the published building design criteria or specifications of any solicitation for offers issued by the General Services Administration for construction of a Federal building or courthouse. **Page 23350**

Bond (for Ensign) Modified Amendment No. 2146, to provide for free individual tax electronic preparation and filing services by the Internal Revenue Service. **Page 23351**

Bond (for Clinton/Schumer) Amendment No. 2105, to modify the designation relating to a certain project in the State of New York. **Page 23351**

Bond (for Clinton/Schumer) Amendment No. 2106, to modify the designation relating to a certain project in the State of New York. **Page 23351**

Bond (for Voinovich) Modified Amendment No. 2108, to modify certain projects relating to highways in the State of Ohio. **Page 23351**

Bond (for Voinovich) Amendment No. 2120, to make technical corrections to the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users. **Page 23351**

Bond/Murray Amendment No. 2175, of a technical nature. **Page 23351**

Bond/Murray Amendment No. 2176, of a technical nature. **Page 23351**

Bond Amendment No. 2177, of a technical nature. **Page 23352**

Bond (for Reid) Amendment No. 2178, to provide for the conveyance of certain public land in Clark County, Nevada for use as a heliport. **Page 23352**

Bond (for Durbin/Obama) Amendment No. 2179, to require the Secretary of Housing and Urban Development to report to Congress on certain properties located in Joliet, Illinois. **Page 23352**

Bond (for Murray) Amendment No. 2180, of a technical nature. **Page 23353**

Bingaman Amendment No. 2065, to extend certain apportionments to primary airports. **Pages 23333, 23355**

Bond (for Levin) Amendment No. 2182, to prohibit the use of funds for Federal contracts with expatriated entities. **Page 23357**

Bond (for Santorum) Amendment No. 2080, to modify provisions relating to certain Federal contracts. **Page 23358**

Bond (for Schumer) Amendment No. 2122, to allow disabled and non-disabled tenants to keep their section 8 contracts on their properties post foreclosure. **Page 23358**

Bond (for DeWine) Modified Amendment No. 2083, to appropriate an additional $6,000,000 for the New Car Assessment Program with a corresponding offset in Department of Transportation salaries and expenses. **Page 23358**

Bond (for Frist) Amendment No. 2183, to fund Habitat for Humanity. **Page 23358**

Bond (for Murray) Amendment No. 2184, to make available funds to the Washington State Department of Transportation for track and grade crossing improvements under the Bridging the Valley project between Spokane County, Washington and Kootenai County, Idaho. **Page 23358**

Bond Amendment No. 2185, to eliminate GSA authority to retain proceeds from sale or other conveyance of real and personal property. **Page 23358**

Bond (for Nelson (FL)/Smith) Amendment No. 2186, to provide the sense of Congress that the Secretary of the Treasury should place al-Manar on the Specially Designated Global Terrorist list. **Page 23358**

Bond (for Lott/Lautenberg) Amendment No. 2187, to modify the provisions on grants to the National Passenger Rail Corporation. **Page 23358**

Bond (for Lautenberg) Amendment No. 2188, to ensure that airports improve their runway safety areas. **Page 23358**

Bond (for Landrieu) Modified Amendment No. 2168, to make available funds for the conduct of a study and submission of a report relating to catastrophic hurricane evacuation plans. **Page 23358**

Bond (for Landrieu) Modified Amendment No. 2167, to set aside funds to provide grants to local governments in the State of Louisiana to address increased transportation demands in communities that have experienced significant population growth from hurricane evacuees. **Page 23358**

Bond (for Coleman) Amendment No. 2189, to improve the safety of all-terrain vehicles in the United States. **Page 23358**

Coburn Amendment No. 2084, to require that any limitation, directive, or earmarking contained in either the House of Representatives or Senate report accompanying this bill be included in the conference report or joint statement accompanying the bill in order to be considered as having been approved by both Houses of Congress. **Page 23323**

Bond (for Burns) Amendment No. 2103, to extend the suspended service ticket honor requirement. **Page 23359**

Bond (for Ensign) Modified Amendment No. 2119, to amend section 40128(e) of title 49, United States Code, to clarify the Lake Mead exemption to the prohibition of commercial air tour operations over national parks. **Page 23359**

Bond (for Coburn) Amendment No. 2190, to ensure fiscal integrity of the payments made by Federal agencies and to prohibit the use of funds until the Department of Housing and Urban Development has reported specific actions taken to estimate improper payments in the community development block grant program as required under the Improper Payments Information Act of 2002. **Page 23359**

Bond (for Snowe) Amendment No. 2150, to assist certain flight service station employees of the Federal Aviation Administration. **Page 23359**

Bond (for Coleman) Amendment No. 2173, to require that purchase card payments to Federal contractors be subjected to the Federal Payment Levy Program and to require improved reporting of air travel by Federal Government employees. **Page 23359**

Rejected:

Coburn Modified Amendment No. 2093, to prohibit any funds under the Act from being used for a parking facility as part of the Joslyn Art Museum Master Plan, in Omaha, Nebraska, for Stand Up for Animals in Westerly, Rhode Island for building construction, and for the Seattle Art Museum in Seattle, Washington for the construction of the Olympic Sculpture Park. (By 86 yeas to 13 nays (Vote No. 260), Senate tabled the amendment.) **Page 23329**

By 15 yeas to 82 nays (Vote No. 262), Coburn Modified Amendment No. 2165, relative to the reconstruction of the Twin Spans Bridge. **Pages 23341, 23353**

By 33 yeas to 61 nays (Vote No. 263), Stevens Amendment No. 2181, to ensure reconstruction of the Twin Spans Bridge. **Page 23353**

Withdrawn:

Dorgan Amendment No. 2133, to restrict enforcement of the Cuban Assets Control Regulations with respect to travel to Cuba. **Page 23340**

Coburn Amendment No. 2091, to prohibit any funds under the Act from being used for the Seattle Art Museum in Seattle, Washington for the construction of the Olympic Sculpture Park. **Pages 23324, 23357**

During consideration of this measure today, Senate also took the following action:

By 53 yeas to 46 nays (Vote No. 261), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion, under section 402(b)(6) of H. Con. Res. 95, Congressional Budget Resolution, to waive provisions of said concurrent resolution with respect to the emergency designation provision in Reed Amendment No. 2077, to provide for appropriations for the Low-Income Home Energy Assistance Program. Subsequently, a point of order that the emergency designation provision would violate section 402(b)(5) of H. Con. Res. 95 was sustained and the provision was stricken. Also, the Chair sustained a point of order that the amendment would exceed the subcommittee's 302(b) allocation and the amendment thus falls. **Pages 23333, 23339**

Ensign Amendment No. 2158 (to Amendment No. 2133), to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions, fell when Dorgan Amendment No. 2133 (listed above) was withdrawn. **Page 23331**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Bond, Shelby, Specter, Bennett, Hutchison, DeWine, Brownback, Stevens, Domenici, Burns, Allard, Cochran, Murray, Byrd, Mikulski, Reid, Kohl, Durbin, Dorgan, Leahy, Harkin, Landrieu, and Inouye. **Page 23415**

Foreign Service Grievance Board: Senate passed S. 1905, to clarify Foreign Service Grievance Board procedures. **Page 23419**

Azerbaijan Elections: Committee on Foreign Relations was discharged from further consideration of S. Res. 260, calling for free and fair parliamentary elections in the Republic of Azerbaijan, and the resolution was then agreed to. **Page 23419**

Labor/HHS/Education Appropriations—Agreement: A unanimous-consent agreement was reached providing that at 9:30 a.m. on Friday, October 21, 2005, Senate begin consideration of H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, that the committee reported amendment be agreed to as original text for the purpose of further amendment, that no points of order be waived by virtue of this agreement, and that on Friday, October 21, 2005, the bill be considered for debate only. **Page 23420**

Messages From the House: **Page 23381**

Measures Read First Time: **Pages 23381, 23416**

Executive Communications: **Page 23381**

Executive Reports of Committees: **Page 23383**

Additional Cosponsors: **Page 23383**

Statements on Introduced Bills/Resolutions: **Page 23384**

Additional Statements: **Page 23378**

Amendments Submitted: **Page 23392**

Authority for Committees to Meet: **Page 23414**

Record Votes: Five record votes were taken today. (Total—264) **Pages 23332, 23339, 23354, 23355, 23371**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 9:01 p.m., until 9:30 a.m., on Friday, October 21, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 23420.)

Committee Meetings

EXON-FLORIO AMENDMENT

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the implementation of the Exon-Florio provision by the Committee on Foreign Investment in the United States (CFIUS), Department of the Treasury, which seeks to serve U.S. investment policy through reviews that protect national security while maintaining the credibility of open investment policy, after receiving testimony from Senator Inhofe; Robert M. Kimmitt, Deputy Secretary of the Treasury; David Sampson, Deputy Secretary of Commerce; Stewart Baker, Assistant Secretary of Homeland Security for Policy; E. Anthony Wayne, Assistant Secretary of State for Economic Affairs; Peter Flory, Assistant Secretary of Defense for International Security Policy; Robert D. McCallum, Jr., Acting Deputy Attorney General, Department of Justice; Patrick A. Mulloy, Commissioner, United States-China Economic and Security Review Commission; and David Marchick, Covington and Burling, Washington, D.C.

PASSENGER RAIL SECURITY

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine S. 1052, to improve transportation security, including public and private sector actions taken since September 11, 2001, and the attacks on rail systems overseas, to enhance the security of passenger and freight rail transportation, after receiving testimony from Edmund Hawley, Assistant Secretary of Homeland Security for Transportation Security; Joseph H. Boardman, Administrator, Federal Railroad Administration, Department of Transportation; Cathleen Ann Berrick, Director, Homeland Security and Justice Issues, Government Accountability Office; Edward R. Hamberger, Association of American Railroads, William L. Crosbie, Amtrak, and Edward Wytkind, Transportation Trades Department (AFL–CIO), all of Washington, D.C.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the following bills:

S. 1753, to establish a unified national hazard alert system, with an amendment in the nature of a substitute; and

S. 967, to amend the Communications Act of 1934 to ensure that prepackaged news stories contain announcements that inform viewers that the information within was provided by the United States Government, with an amendment in the nature of a substitute.

Also, Committee completed its review of certain spending reductions and revenue increases to meet reconciliation expenditures as imposed by H. Con. Res. 95, establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010, and agreed on recommendations which it will make to the Committee on the Budget thereon.

ENERGY EFFICIENCY

Committee on Energy and Natural Resources: Committee concluded a hearing to examine S. 1016, to direct the Secretary of Energy to make incentive payments to the owners or operators of qualified desalination facilities to partially offset the cost of electrical energy required to operate the facilities, and S. 1860, to amend the Energy Policy Act of 2005 to improve energy production and reduce energy demand through improved use of reclaimed waters, after receiving testimony from Douglas L. Faulkner, Acting Assistant Secretary for Energy Efficiency and Renewable Energy, James B. Roberto, Deputy Director for Science and Technology, Oak Ridge National Laboratory, Les Shephard, Vice President for Energy, Resources and Nonproliferation, Sandia National Laboratories, and Jane C.S. Long, Associate Director, Energy and Environment Directorate, Lawrence Livermore National Laboratory, all of the Department of Energy; Jim Reynolds, Florida Keys Aqueduct Authority, Key West, on behalf of the U.S. Desalination Coalition; Edmund Archuleta, El Paso Water Utilities, El Paso, Texas, on behalf of the WateReuse Association; Pankaj Parekh, Los Angeles Department of Water and Power, Los Angeles, California, on behalf of the Awwa Research Foundation; and Colin Sabol, General Electric Infrastructure, Trevose, Pennsylvania.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Benson K. Whitney, of Minnesota, to be Ambassador to Norway, who was introduced by Senators Dayton and Coleman, Roland Arnall, of California, to be Ambassador to the Kingdom of the Netherlands, who was introduced by Representative Lantos, Susan Rasinski McCaw, of Washington, to be Ambassador to the Republic of Austria, who was introduced by Senator Allen, and Nicholas F. Taubman, of Virginia, to be Ambassador to Romania, who was introduced by Senators Warner and Allen, after the nominees testified and answered questions in their own behalf.

FOREIGN POLICY AND OIL

Committee on Foreign Relations: Subcommittee on Near Eastern and South Asian Affairs concluded a hearing to examine the role that petroleum plays in the economy and foreign policy, particularly as it relates to the Middle East, after receiving testimony from Stephen J. Gallogly, Director, Office of International Energy and Commodity Policy, Bureau of Economic and Business Affairs, and Alan Greeley Misenheimer, Director, Office of Arabian Peninsula and Iran Affairs, Bureau of Near Eastern Affairs, both of the Department of State; George L. Person, Jr., Director, Office of African and Middle Eastern Affairs, Office of Policy and International Affairs, Department of Energy; Gal Luft, Institute for the Analysis of Global Security, and Robert E. Ebel, Center for Strategic and International Studies, both of Washington, D.C.; and Tom Z. Collina, 20/20 Vision, Silver Spring, Maryland.

HURRICANE KATRINA

Committee on Homeland Security and Governmental Affairs: Committee held a hearing to examine the Federal emergency management and the response to Hurricane Katrina in New Orleans, receiving testimony from Marty J. Bahamonde, Regional Director, Office of Public Affairs, Federal Emergency Management Agency, Department of Homeland Security.

Hearing recessed subject to the call.

GUARDSMEN/RESERVISTS

Committee on Health, Education, Labor, and Pensions: On Wednesday, October 19, Subcommittee on Employment and Workplace Safety concluded a hearing to examine enhancing cooperation between employers and guardsmen/reservists, focusing on civilian and veteran organizations to work together to reach out to soldiers returning from the battlefield, after receiving testimony from Ronald J. Fry, SFC, North Carolina Army National Guard, and Wachovia Corporation, Charlotte, North Carolina; Bobby Hollingsworth, National Committee for Employer Support of the Guard and Reserve, Washington, D.C.; Dennis Donovan, Home Depot, Inc., Atlanta, Georgia; Christine Bierman, Colt Safety, Fire and Rescue, St. Louis, Missouri; and Lisa Nisenfeld, Southwest Washington Workforce Development Council, Vancouver, Washington.

FEDERAL EMPLOYMENT PROGRAMS

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine Federal employment programs for persons with disabilities, after receiving testimony from Robert A. Lawhead, Employment Link, Boulder, Colorado; Kate Bartlett, Arlington, Massachusetts, on behalf of the National Down Syndrome Society; James Gashel, National Federation for the Blind, Baltimore, Maryland; Tony Young, NISH, Vienna, Virginia; and Mike Nelson, Greeley, Colorado.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 1326, to require agencies and persons in possession of computerized data containing sensitive personal information, to disclose security breaches where such breach poses a significant risk of identity theft;

S. 1086, to improve the national program to register and monitor individuals who commit crimes against children or sex offenses, with an amendment in the nature of a substitute;

S. 443, to improve the investigation of criminal antitrust offenses; and

The nominations of Susan Bieke Neilson, of Michigan, to be United States Circuit Judge for the Sixth Circuit, John Richard Smoak, to be United States District Judge for the Northern District of Florida, Brian Edward Sandoval, to be United States District Judge for the District of Nevada, Harry Sandlin Mattice, Jr., to be United States District Judge for the Eastern District of Tennessee, and Margaret Mary Sweeney, of Virginia, and Thomas Craig Wheeler, of Maryland, each to be a Judge of the United States Court of Federal Claims.

Also, Committee completed its review of certain spending reductions and revenue increases to meet reconciliation expenditures as imposed by H. Con. Res. 95, establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010, and agreed on recommendations which it will make to the Committee on the Budget thereon.

Also, Committee began markup of S. 1789, to prevent and mitigate identity theft, to ensure privacy, to provide notice of security breaches, and to enhance criminal penalties, law enforcement assistance, and other protections against security breaches, fraudulent access, and misuse of personally identifiable information, but did not complete action thereon, and recessed subject to call.

MARRIAGE AMENDMENT

Committee on the Judiciary: Subcommittee on the Constitution, Civil Rights and Property Rights concluded a hearing to examine the constitutional amendment on marriage, after receiving testimony from Scott FitzGibbon, Boston College Law School, Boston, Massachusetts; Christopher E. Harris, Vanderbilt University School of Medicine, Nashville, Tennessee; Louis Michael Seidman, Georgetown University Law Center, Washington, DC.; Richard G. Wilkins, Brigham Young University J. Reuben Clark Law School, Provo, Utah; and Christopher Wolfe, Marquette University, Milwaukee, Wisconsin.

VA INFORMATION TECHNOLOGY

Committee on Veterans Affairs: Committee concluded a hearing to examine the Department of Veterans Affairs information technology infrastructure reorganization assessment, focusing on the role of the Chief Information Officer in effectively managing information technology, after receiving testimony from Gordon H. Mansfield, Deputy Secretary of Veterans Affairs; Linda D. Koontz, Director, Information Management Issues, Government Accountability Office; and Paul Wohlleben, Grant Thornton LLP, Chicago, Illinois, on behalf of the Information Technology Association of America.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 34 public bills, H.R. 4090–4123; and 7 resolutions, H.J. Res. 69; H. Con. Res. 269–272; and H. Res. 504–505 were introduced. **Page 23313**

Additional Cosponsors: **Page 23315**

Reports Filed: There were no reports filed today.

Protection of Lawful Commerce in Arms Act: The House passed S. 397, to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages, injunctive or other relief resulting from the misuse of their products by others, by a yea-and-nay vote of 283 yeas to 144 nays, Roll No. 534—clearing the measure for the President. **Page 23258**

H. Res. 493, the rule providing for consideration of the bill was agreed to on Tuesday, October 18th, by voice vote.

Moment of Silence: The House observed a moment of silence in memory of the victims of the recent earthquake in Pakistan, India and Afghanistan. **Page 23281**

Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2006—Motion to Instruct Conferees: The House rejected the DeLauro motion to instruct conferees on H.R. 2744, to make appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, which was debated yesterday, October 19th, by a yea-and-nay vote of 209 yeas to 216 nays, Roll No. 535. **Page 23281**

Appointed as Conferees: Representatives Bonilla, Kingston, Latham, Emerson, Goode, LaHood, Doolittle, Alexander, Lewis of California, DeLauro, Hinchey, Farr, Boyd, Kaptur, and Obey. **Page 23282**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at noon on Monday, October 24th, and when the House adjourns on Monday, it adjourn to meet at 12:30 p.m. on Tuesday, October 25th, for Morning Hour Debate. **Page 23285**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, October 26th. **Page 23285**

Senate Message: Message received from the Senate today appears on page 23255.

Senate Referrals: S. 1736 was referred to the Committee on Government Reform and S. 1894 was referred to the Committee on Ways and Means. **Page 23312**

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages 23281–82. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 4:40 p.m.

Committee Meetings

VA HEALTHCARE FACILITIES

Committee on Appropriations: Subcommittee on Military Quality of Life, and Veterans Affairs, and Related Agencies held a hearing on VA Capital Asset Realignment for Enhanced Services (CARES) Testimony was heard from Jonathan B. Perlin, Under Secretary, Health, Veterans Health Administration, Department of Veterans Affairs.

ARMY'S UP-ARMOR HIGH MOBILITY MULTIPURPOSE WHEELED VEHICLE

Committee on Armed Services: Held a hearing on the Army's M1114 Up-Armor High Mobility Multipurpose Wheeled Vehicle (UAH) distribution strategy. Testimony was heard from the following officials of the Department of the Army: Francis J. Harvey, Secretary; and GEN Richard A. Cody, USA, Vice Chief of Staff.

AERIAL COMMON SENSOR PROGRAM

Committee on Armed Services: Subcommittee on Tactical Air and Land Forces and the Subcommittee on Technical and Tactical Intelligence of the Permanent Select Committee on Intelligence held a joint hearing on the Aerial Common Sensor Program. Testimony was heard from the following officials of the Department of Defense: John R. Landon, Deputy to the Assistant Secretary of Defense (Command, Control, Communications, Intelligence, Surveillance, Reconnaissance & IT Acquisition Programs); Claude Bolton, Assistant Secretary of the Army (Acquisition, Logistics and Technology); MG Barbara Fast, USA, Commanding General/Commandant U.S. Army Intelligence Center and Fort Huachuca; Tom Laux, Program Executive Officer for Air Anti-Submarine Warfare Assault, and Special Mission Programs and RADM Bruce Clingan, USN, Deputy Director, Air Warfare, both with the Department of the Navy.

BUDGET RECONCILIATION; PERSONAL RESPONSIBILITY, WORK, AND FAMILY PROMOTION ACT; RESOLUTION REQUESTING PRESIDENT TO TRANSMIT TO THE HOUSE INFORMATION RELATING TO CONTRACTS FOR SERVICES OR CONSTRUCTION RELATING TO HURRICANE KATRINA

Committee on Education and the Workforce: Ordered reported, as amended, to the Committee on the Budget amendments to the Social Security Act, Welfare Reform regarding the Committee's Instructions pursuant to the Conference Report on H. Con. Res. 95, Establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010.

The Committee also ordered reported the following: H.R. 240, amended, Personal Responsibility, Work, and Family Promotion Act of 2005; and ordered unfavorably reported H. Res. 467, Requesting that the President transmit to the House of Representatives information in his possession relating to contracts for services or construction related to Hurricane Katrina recovery that relate to wages and benefits to be paid to workers.

COMBATING METHAMPHETAMINES

Committee on Energy and Commerce: Subcommittee on Health and the Subcommittee on Environment and Hazardous Materials held a joint hearing entitled "Comprehensively Combating Methamphetamines: Impacts on Health and the Environment." Testimony was heard from Stephen L. Johnson, Administrator, EPA; Stephanie Colston, Senior Advisor to the Administrator, Substance Abuse and Mental Health Services Administration, Department of Health and Human Services; Joseph T. Rannazzisi, Deputy Chief, Office of Enforcement Operations, DEA, Department of Justice; and public witnesses.

NATIONAL FLOOD INSURANCE PROGRAM—MANAGEMENT AND OVERSIGHT

Committee on Financial Services: Subcommittee on Housing and Community Opportunity held a hearing entitled "Management and Oversight of the National Flood Insurance Program." Testimony was heard from Representatives Baker and Taylor of Mississippi; David I. Maurstad, Acting Director and Federal Insurance Administrator, Mitigation Division, Federal Emergency Management Agency, Emergency Preparedness and Response Directorate, Department of Homeland Security; and William O. Jenkins, Director, Homeland Security and Justice, GAO.

NATIONAL GUARD AT HOME AND ABROAD—CRITICAL RULE

Committee on Government Reform: Held a hearing entitled "The Critical Role of the National Guard at Home and Abroad." Testimony was heard from the following Governors: Edward Rendell, Pennsylvania; and Dirk Kempthorne, Idaho; David M. Walker, Comptroller General, GAO; the following officials of the Department of Defense: Thomas F. Hall, Assistant Secretary, Reserve Affairs; and LTG David F. Melcher, Deputy Chief of Staff, U.S. Army; LTG H. Steven Blum, USA, Chief, National Guard Bureau; MG Allen Tackett, USA, State Adjutant General, West Virginia; and MG Raymond Rees, USA, State Adjutant General, Oregon.

MISCELLANEOUS MEASURES

Committee on Government Reform: Ordered reported the following bills: H.R. 3256, To designate the facility of the United States Postal Service located at 3038 West Liberty Avenue in Pittsburgh, Pennsylvania, as the "Congressman James Grove Fulton Memorial Post Office Building"; H.R. 3368, To designate the facility of the United States Postal Service located at 6483 Lincoln Street in Gagetown, Michigan, as the "Gagetown Veterans Memorial Post Office"; H.R. 3548, To designate the facility of the United States Postal Service located on Franklin Avenue in Pearl River, New York, as the "Heinz Ahlmeyer, Jr., Post Office Building"; H.R. 3770, To designate the facility of the United States Postal Service located at 205 West Washington Street in Knox, Indiana, as the "Grant W. Green Post Office Building"; H.R. 3825, To designate the facility of the United States Postal Service located at 770 Trumbull Drive in Pittsburgh, Pennsylvania, as the "Clayton J. Smith Memorial Post Office Building"; H.R. 3989, To designate the facility of the United States Postal Service located at 37598 Goodhue in Dennison, Minnesota, as the "Albert Harold Quie Post Office"; H.R. 4053, To designate the facility of the United States Postal Service located at 545 North Rimsdale Avenue in Covina, California, as the "Lillian Kinkella Keil Post Office"; S. 37, To extend the special postage stamp for breast cancer research for 2 years; H.R. 1455, To amend titled 45 and title 3, United States Code, to include the Department of Homeland Security and the Secretary of Homeland Security in the lists of executive departments and officers; H.R. 3496, amended, National Capital Transportation Amendments Act of 2005; and H.R. 4057, To provide that attorneys employed by the Department of Justice shall be eligible for compensatory time of for travel under section 5550b of title 5, United States Code.

LONDON BOMBINGS

Committee on Homeland Security: Subcommittee on Economic Security, Infrastructure Protection, and Cybersecurity held a hearing on the London Bombings: Protecting

Civilian Targets from Terrorist Attacks. Testimony was heard from the following officials of the Department of Homeland Security: Robert Jamison, Deputy Administrator, Transportation Security Administration; and Robert Stephan, Assistant Secretary, Infrastructure Protection Division.

MITIGATING CATASTROPHIC EVENTS—EFFECTIVE MEDICAL RESPONSE

Committee on Homeland Security: Subcommittee on Prevention of Nuclear and Biological Attack held a hearing entitled "Mitigating Catastrophic Events through Effective Medical Response." Testimony was heard from public witnesses.

AFRICAN GROWTH AND OPPORTUNITY ACT—FIVE YEAR ASSESSMENT

Committee on International Relations: Subcommittee on Africa, Global Human Rights and International Operations held a hearing on African Growth and Opportunity Act: A Five-Year Assessment. Testimony was heard from Florizelle Liser, Assistant U.S. Trade Representative for Africa; and public witnesses.

SOUTH ASIA EARTHQUAKE

Committee on International Relations: Subcommittee on Asia and the Pacific held a hearing on South Asia Earthquake: Impact and Humanitarian Response. Testimony was heard from the following officials of the Department of State: Christina B. Rocca, Assistant Secretary, Bureau of South Asian Affairs; and Michael E. Hess, Assistant Administrator, Democracy, Conflict and Humanitarian Assistance, U.S. Agency for International Development; and Peter F. Verga, Principal Deputy Assistant Secretary, Homeland Defense, Department of Defense.

OVERSIGHT—VOTING RIGHTS ACT

Committee on the Judiciary: Subcommittee on the Constitution held an oversight hearing entitled "The Voting Rights Act: An Examination of the Scope and Criteria for Coverage under the Special Provisions of the Act." Testimony was heard from Michael S. Steele, Lieutenant Governor of Maryland; J. Gerald Hebert, former Acting Chief, Civil Rights Division, Department of Justice; and public witnesses.

WATER SUPPLY VULNERABILITIES

Committee on Resources: Subcommittee on Water and Power held an oversight hearing entitled "Water Supply Vulnerabilities in the Sacramento/San Joaquin River System." Testimony was heard from Kirk Rodgers, Regional Director, Mid-Pacific Region, Bureau of Reclamation, Department of the Interior; BG Joseph Schroedel, USA, Commander and Division Engineer, South Pacific Division, Corps of Engineers, Department of the Army; Mike Chrisman, Secretary, Resources Agency, State of California; and public witnesses.

SCIENCE, TECHNOLOGY, AND GLOBAL ECONOMIC COMPETITIVENESS

Committee on Science: Held a hearing on Science, Technology, and Global Economic Competitiveness. Testimony was heard from public witnesses.

OVERSIGHT—DISASTER REBUILDING HIGHWAY AND TRANSIT INFRASTRUCTURE—GULF COAST AFTER KATRINA

Committee on Transportation and Infrastructure: Subcommittee on Highways, Transit and Pipelines an oversight hearing on Rebuilding Highway and Transit Infrastructure on the Gulf Coast following Hurricane Katrina. Testimony was heard from the following officials of the Department of Transportation: J. Richard Capka, Acting Administrator, Federal Highway Administration; and Susan E. Schruth, Associate Administrator, Federal Transit Administration.

OVERSIGHT—DISASTER PROTECTION GULF COAST RECOVERY

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment held an oversight hearing entitled "Expert Views on Hurricane and Flood Protection and Water Resources Planning for a Rebuilt Gulf Coast." Testimony was heard from the following officials of the Corps of Engineers, Department of the Army: John Paul Woodley, Jr., Assistant Secretary (Civil Works); and LTG Carl A. Strock, USA, Chief; Benjamin H. Grumbles, Assistant Administrator, Water, EPA; and public witnesses.

VETERANS LEGISLATION

Committee on Veterans' Affairs: Ordered reported the following bills: H.R. 3665, amended, Veterans Housing Improvement Act of 2005; H.R. 1691, To designate the Department of Veterans Affairs outpatient clinic in Appleton, Wisconsin, as the "John H. Bradley Department of Veterans Affairs Outpatient Clinic"; and H.R. 4061, Department of Veterans Affairs Information Technology Management Improvement Act of 2005.

OVERSIGHT—VA'S DISABILITY COMPENSATION CLAIMS PROCESS

Committee on Veterans' Affairs: Subcommittee on Disability Assistance and Memorial Affairs held an oversight hearing on variances in disability compensation claims decisions made by the VA Regional Offices, the Post Traumatic Stress Disorder claims review; and United States Court of Appeals for the Federal Circuit decision *Allen* v. *Principi*. Testimony was heard from the following officials of the Department of Veterans Affairs: Jon A. Wooditch, Acting Inspector General, Audits; Steven H. Brown, M.D., Director, Compensation and Pension Examination Project; and Ronald R. Aument, Deputy Under Secretary, Benefits, Veterans Benefits Administration; Cynthia A. Bascetta, Director, Education, Workforce, and Income Security Issues, GAO; and John M. Garcia, Secretary, Department of Veterans' Services, State of New Mexico.

BRIEFING—GLOBAL UPDATES/HOTSPOTS

Permanent Select Committee on Intelligence: Met in executive session to receive a Briefing on Global Updates/Hotspots. The Committee was briefed by departmental witnesses.

BRIEFING—AERIAL COMMON SENSOR PROGRAM

Permanent Select Committee on Intelligence: Met in executive session to receive a Briefing on Aerial Common Sensor Program. The Committee was briefed by departmental witnesses.

Joint Meetings

ECONOMIC OUTLOOK

Joint Economic Committee: Committee concluded a hearing to examine the current economic outlook, focusing on the effects of the recent Gulf Coast hurricanes on the economy of the United States since a significant portion of U.S. oil and gas production is concentrated in the Gulf area, after receiving testimony from Ben S. Bernanke, Chairman, Council of Economic Advisers; David F. Seiders, National Association of Home Builders, Washington, D.C.; and Mickey D. Levy, Bank of America, and Brad Setser, Roubini Global Economics, LLC, both of New York, New York.

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Friday, October 21, 2005

Senate

Chamber Action

Routine Proceedings, pages 23441–90

Measures Introduced: Three bills and two resolutions were introduced, as follows: S. 1906–1908 and S. Res. 284–285. **Page 23485**

Measures Passed:

Authorizing Filming in Senate Chamber: Senate agreed to S. Res. 284, authorizing filming in the Chamber of the Senate for the use by the Capitol Visitor Center. **Page 23480**

Recognizing Hispanic Scientists: Senate agreed to S. Res. 285, recognizing the efforts and contributions of outstanding national Hispanic scientists. **Page 23489**

Labor/HHS/Education Appropriations: Senate began consideration of H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, agreeing to the committee amendment in the nature of a substitute, which will be considered as original text for the purpose of further amendment. **Page 23441**

A unanimous-consent agreement was reached providing for further consideration of the bill at 2 p.m. on Monday, October 24, 2005. **Page 23489**

Nominations Confirmed: Senate confirmed the following nominations:

Thomas Craig Wheeler, of Maryland, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

Margaret Mary Sweeney, of Virginia, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

Mark S. Schneider, of the District of Columbia to be Commissioner of Education Statistics for a term expiring June 21, 2009.

Diane Rivers, of Arkansas, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2009.

Sandra Frances Ashworth, of Idaho, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2009.

Jan Cellucci, of Massachusetts, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2009.

Christine M. Griffin, of Massachusetts, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2009.

Naomi Churchill Earp, of Virginia, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2010. .

Mark Hofflund, of Idaho, to be a Member of the National Council on the Arts for the remainder of the term expiring September 3, 2008. **Pages 23489, 23490**

Nominations Received: Senate received the following nominations:

John F. Clark, of Virginia, to be Director of the United States Marshals Service.

George W. Foresman, of Virginia, to be Under Secretary for Preparedness, Department of Homeland Security.

1 Navy nomination in the rank of admiral. **Page 23490**

Measures Placed on Calendar: **Pages 23485, 23489**

Additional Cosponsors: **Page 23485**

Statements on Introduced Bills/Resolutions: **Page 23486**

Amendments Submitted: **Page 23488**

Notices of Hearings/Meetings: **Page 23488**

Privilege of the Floor: **Page 23488**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 12:47 p.m., until 2 p.m., on Monday, October 24, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 23489.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. It will meet at 12 noon on Monday, October 24th in pro forma session and at 12:30 p.m. on Tuesday, October 25th for Morning Hour debate.

Committee Meetings

No committee meetings were held.

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Monday, October 24, 2005

Senate

Chamber Action

Routine Proceedings, pages 23494–23520

Measures Introduced: Four bills were introduced, as follows: S. 1909–1912. **Page 23513**

Measures Reported:

S. 1409, to amend the Safe Drinking Water Act Amendments of 1996 to modify the grant program to improve sanitation in rural and Native villages in the State of Alaska, with an amendment in the nature of a substitute. (S. Rept. No. 109–159)

S. 1873, to prepare and strengthen the biodefenses of the United States against deliberate, accidental, and natural outbreaks of illness, with an amendment in the nature of a substitute. **Page 23513**

Measures Passed:

Assistance for Orphans and Other Vulnerable Children in Developing Countries Act: Senate passed H.R. 1409, to amend the Foreign Assistance Act of 1961 to provide assistance for orphans and other vulnerable children in developing countries, clearing the measure for the President. **Page 23519**

Land Conveyance: Senate passed S. 1382, to require the Secretary of the Interior to accept the conveyance of certain land, to be held in trust for the benefit of the Puyallup Indian tribe. **Page 23520**

Labor/HHS/Education Appropriations: Senate resumed consideration of H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, taking action on the following amendment proposed thereto: **Page 23498**

Pending:

Specter Amendment No. 2197, to reduce administrative costs in the Centers for Medicaid and Medicare Services. **Page 23501**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10 a.m. on Tuesday, October 25, 2005; that at 10:30 a.m., Senate vote on, or in relation to, Specter Amendment No. 2197 (listed above), with no second-degree amendments in order to the amendment. **Page 23520**

Nominations Confirmed: Senate confirmed the following nominations:

By unanimous vote of 89 yeas (Vote No. EX. 265) Brian Edward Sandoval, of Nevada, to be United States District Judge for the District of Nevada. **Pages 23508, 23520**

By unanimous vote of 91 yeas (Vote No. EX. 266) Harry Sandlin Mattice, Jr., of Tennessee, to be United States District Judge for the Eastern District of Tennessee. **Pages 23508, 23520**

Measures Referred: **Page 23511**

Measures Placed on Calendar: **Page 23511**

Executive Communications: **Page 23511**

Additional Cosponsors: **Page 23514**

Statements on Introduced Bills/Resolutions: **Page 23515**

Additional Statements: **Page 23511**

Amendments Submitted: **Page 23516**

Privilege of the Floor: **Page 23519**

Record Votes: Two record votes were taken today. (Total—266) **Pages 23508, 23509**

Adjournment: Senate convened at 2 p.m., and adjourned at 7:07 p.m., until 9:30 a.m., on Tuesday, October 25, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 23520.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 1 public bill, H.R. 4124; and 2 resolutions, H. Res. 506–507, were introduced. **Page 23493**

Additional Cosponsors: **Page 23493**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Petri to act as Speaker pro tempore for today. **Page 23491**

Quorum Calls—Votes: There were no Yea-and-Nay votes, and there were no Recorded votes. There were no quorum calls.

Adjournment: The House met at 12 p.m. and adjourned at 12:03 p.m.

Committee Meetings

No committee meetings were held.

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Tuesday, October 25, 2005

Senate

Chamber Action

Routine Proceedings, pages 23528–23605

Measures Introduced: Eight bills and three resolutions were introduced, as follows: S. 1913–1920, S. Res. 286–287, and S. Con. Res. 60. **Page 23576**

Measures Passed:

Recognizing the Grand Ole Opry: Senate agreed to S. Res. 286, commending the Grand Ole Opry on the occasion of its 80th anniversary for its important role in the popularization of country music and for its 8 decades of musical and broadcast excellence. **Page 23580**

Honoring the Life of Rosa Parks: Senate agreed to S. Res. 287, honoring the life of, and expressing the condolences of the Senate on the passing of Rosa Parks. **Pages 23580, 23599**

Antitrust Criminal Investigative Improvements Act: Senate passed S. 443, to improve the investigation of criminal antitrust offenses. **Page 23603**

Labor/HHS/Education Appropriations: Senate continued consideration of H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, taking action on the following amendments proposed thereto: **Pages 23535, 23544**

Adopted:

Specter Amendment No. 2197, to reduce administrative costs in the Centers for Medicaid and Medicare Services. **Page 23535**

By a unanimous vote of 98 yeas (Vote No. 267), Durbin Amendment No. 2196, to require the Secretary of Health and Human Services to submit to Congress a plan for changing the numerical identifier used to identify Medicare beneficiaries under the Medicare program. **Page 23535**

Inouye/Cochran Amendment No. 2222, to rename certain buildings within the Centers for Disease Control and Prevention. **Page 23545**

Salazar Amendment No. 2226, to provide that certain local educational agencies shall be eligible to receive a fiscal year 2005 payment under section 8002 or 8003 of the Elementary and Secondary Education Act of 1965. **Page 23556**

Salazar Amendment No. 2224, to require the Secretary of Education to conduct a study to evaluate the effectiveness of violence prevention programs receiving funding under the Safe and Drug-Free Schools and Communities Act. **Page 23557**

Salazar Amendment No. 2225, to provide for a study of national service programs in the rural United States. **Page 23558**

Pending:

Sununu Amendment No. 2214, to provide for the funding of the Low-Vision Rehabilitation Services Demonstration Project. **Page 23540**

Sununu Amendment No. 2215, to increase funding for community health centers. **Page 23540**

Reed Modified Amendment No. 2194, to provide for appropriations for the Low-Income Home Energy Assistance Program. **Pages 23546, 23559**

Gregg Amendment No. 2253, to increase appropriations for the Low-Income Home Energy Assistance Program by $1,276,000,000, with an across-the-board reduction. **Page 23563**

Thune Modified Amendment No. 2193, to provide funding for telehealth programs. **Page 23564**

During consideration of this measure today, the Senate also took the following action:

By 48 yeas to 51 nays (Vote No. 268), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion, under section 904 of the Congressional Budget act of 1974, to waive provisions of the Act for consideration of Kennedy Amendment No. 2213, to increase the maximum Federal Pell Grant award by $200 to $4,250. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell. **Pages 23536, 23541, 23544**

Senate rejected the motion, under section 904 of the Congressional Budget Act of 1974, to waive provisions of the Act for consideration of Salazar Amendment No. 2223, to increase funding for the safe and drug-free schools and communities program. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell. **Page 23558**

A motion was entered to close further debate on the bill and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, October 27, 2005. **Page 23566**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10 a.m. on Wednesday, October 26, 2005. **Page 23604**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report relative to the continuation of the national emergency declared in Executive Order 12938 with respect to the proliferation of weapons of mass destruction; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–28) **Page 23571**

Nominations Received: Senate received the following nominations:

Aida M. Delgado-Colon, of Puerto Rico, to be United States District Judge for the District of Puerto Rico.

8 Coast Guard nominations in the rank of admiral.

1 Navy nomination in the rank of admiral.

Routine lists in the Army. **Page 23604**

Messages From the House: **Page 23571**

Measures Referred: **Page 23572**

Measures Placed on Calendar: **Page 23572**

Enrolled Bills Presented: **Page 23572**

Executive Communications: **Page 23572**

Executive Reports of Committees: **Page 23573**

Additional Cosponsors: **Page 23576**

Statements on Introduced Bills/Resolutions: **Page 23577**

Amendments Submitted: **Page 23581**

Notices of Hearings/Meetings: **Page 23598**

Authority for Committees to Meet: **Page 23598**

Privilege of the Floor: **Page 23599**

Record Votes: Two record votes were taken today. (Total–268) **Pages 23536, 23545**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 6:53 p.m., until 9:30 a.m., on Wednesday, October 26, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 23604.)

Committee Meetings

OIL AND GAS ACTIVITIES

Committee on Appropriations: Subcommittee on Interior and Related Agencies concluded a hearing to examine oil and gas activities by the Bureau of Land Management including impact of recently passed energy legislation, after receiving testimony from Kathleen Clarke, Director, Bureau of Land Management, Department of the Interior; Logan Magruder, Independent Petroleum Association of Mountain States, Denver, Colorado; and Paul N. Cicio, Industrial Energy Consumers of America, and Ford B. West, The Fertilizer Institute, both of Washington, D.C.

NOMINATIONS

Committee on Armed Services: Committee concluded a hearing to examine the nominations of John J. Young, Jr., of Virginia, to be Director of Defense Research and Engineering, Department of Defense, who was introduced by Senator Stevens and Representative Don Young, Dorrance Smith, of Virginia, to be Assistant Secretary of Defense for Public Affairs, Delores M. Etter, of Maryland, to be Assistant Secretary of the Navy for Research, Development and Acquisition, General Burwell B. Bell, III, USA, for reappointment to the grade of general and to be Commander, United Nations Command/Combined Forces Command, and Commander, United States Forces Korea, and Lieutenant General Lance L. Smith, USAF, for appointment to the grade of general and to be Commander, United States Joint Forces Command and Supreme Allied Commander Transformation, after the nominees testified and answered questions in their own behalf.

NOMINATIONS

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine Matthew Slaughter, of New Hampshire, and Katherine Baicker, of New Hampshire, each to be a Member of the Council of Economic Advisers, Orlando J. Cabrera, of Florida, to be an Assistant Secretary of Housing and Urban Development, who was introduced by Senator Martinez, and Gigi Hyland, of Virginia, who was introduced by Senator Warner, and Rodney E. Hood, of North Carolina, who was introduced by Senators Dole and Burr, each to be a Member of the National Credit Union Administration Board, after the nominees testified and answered questions in their own behalf.

TERRITORIES RELATED LEGISLATION

Committee on Energy and Natural Resources: Committee concluded a hearing to examine S. 1829, to repeal certain sections of the Act of May 26, 1936, pertaining to the Virgin Islands, S. 1830, to amend the Compact of Free Association Amendments Act of 2003, and S. 1831, to convey certain submerged land to the Commonwealth of the Northern Mariana Islands, after receiving testimony from Virgin Islands Delegate Christensen; and Nikolao I.

Pula, Acting Deputy Assistant Secretary of the Interior for Insular Affairs.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the nominations of James S. Halpern, of the District of Columbia, to be a Judge of the United States Tax Court, Karan K. Bhatia, of Maryland, to be Deputy United States Trade Representative, with the Rank of Ambassador, Susan C. Schwab, of Maryland, to be a Deputy United States Trade Representative, with the rank of Ambassador, Franklin L. Lavin, of Ohio, to be Under Secretary of Commerce for International Trade, and Clay Lowery, of Virginia, to be a Deputy Under Secretary of the Treasury.

Also, Committee completed its review of certain spending reductions and revenue increases to meet reconciliation expenditures as imposed by H. Con. Res. 95, establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010, and agreed on recommendations which it will make to the Committee on the Budget thereon.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Ellen R. Sauerbrey, of Maryland, to be Assistant Secretary of State for Population, Refugees, and Migration, Jeffrey Thomas Bergner, of Virginia, to be Assistant Secretary of State for Legislative Affairs, and Anne W. Patterson, of Virginia, to be Assistant Secretary of State for International Narcotics and Law Enforcement Affairs, after the nominees testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the following business items:

Agreement between the United States of America and the Government of Canada on Pacific Hake/Whiting (Treaty Doc. 108–24);

The Convention on the Conservation and Management of the Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (Treaty Doc. 109–1); and

The nominations of C. Boyden Gray, of the District of Columbia, to be United States Representative to the European Union, with the rank and status of Ambassador, Jennifer L. Dorn, of Nebraska, to be United States Alternate Executive Director of the International Bank for Reconstruction and Development, David B. Dunn, of California, to be Ambassador to the Togolese Republic, Carmen Maria Martinez, of Florida, to be Ambassador to the Republic of Zambia, Michael R. Arietti, of Connecticut, to be Ambassador to the Republic of Rwanda, David M. Hale, of New Jersey, to be Ambassador to the Hashemite Kingdom of Jordan, Benson K. Whitney, of Minnesota, to be Ambassador to Norway, Susan Rasinski McCaw, of Washington, to be Ambassador to the Republic of Austria, Nicholas F. Taubman, of Virginia, to be Ambassador to Romania, Anne W. Patterson, of Virginia, to be an Assistant Secretary of State for International Narcotics and Law Enforcement Affairs, and a Foreign Service Officer promotion list received in the Senate on July 14, 2005.

FEDERAL SPENDING PRIORITIES

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, and International Security concluded a hearing to examine setting priorities in Federal spending in the context of natural disaster, deficits and war, focusing on long-term budget challenges, and a plan to restore fiscal discipline, after receiving testimony from Representative Shadegg; former Representative Stenholm; and Roger Pilon, Cato Institute Center for Constitutional Studies, and Daniel J. Mitchell, The Heritage Foundation, both of Washington, DC.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 19 public bills, H.R. 4125–4143; and 4 resolutions, H.J. Res. 70; H. Con. Res. 273–274; and H. Res. 510 were introduced. **Page 23661**

Additional Cosponsors: **Page 23662**

Reports Filed: Reports were filed today as follows:

H.R. 1129, to authorize the exchange of certain land in the State of Colorado, with an amendment (H. Rept. 109–252); H. Res. 508, providing for consideration of the bill (H.R. 420) to amend Rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability (H. Rept. 109–253); and H. Res. 509, providing for consideration of the bill (H.R. 1461) to reform the regulation of certain housing-related Government-sponsored enterprises (H. Rept. 109–254). **Page 23661**

Speaker: Read a letter from the Speaker wherein he appointed Representative Issa to act as Speaker pro tempore for today. **Page 23606**

Recess: The House recessed at 12:59 p.m. and reconvened at 2 p.m. **Page 23610**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Recognizing America's Blood Centers and its member organizations for their commitment to providing over half the Nation with a safe and adequate volunteer donor blood supply: H. Res. 220, amended, to recognize

America's Blood Centers and its member organizations for their commitment to providing over half the Nation with a safe and adequate volunteer donor blood supply; **Page 23612**

American Spirit Fraud Prevention Act: H.R. 3675, to amend the Federal Trade Commission Act to increase civil penalties for violations involving unfair or deceptive acts or practices that exploit popular reaction to an emergency or major disaster, and to authorize the Federal Trade Commission to seek civil penalties for such violations in actions brought under section 13 of that Act, by a yea-and-nay vote of 399 yeas to 3 nays, Roll No. 536; **Pages 23613, 23626**

Supporting the goals of Red Ribbon Week: H. Res. 485, to support the goals of Red Ribbon Week; **Page 23615**

Recognizing the 40th anniversary of the White House Fellows Program: H. Con. Res. 269, to recognize the 40th anniversary of the White House Fellows Program, by a yea-and-nay vote of 401 yeas with none voting "nay", Roll No. 537; **Pages 23617, 23628**

Congressman James Grove Fulton Memorial Post Office Designation Act: H.R. 3256, to designate the facility of the United States Postal Service located at 3038 West Liberty Avenue in Pittsburgh, Pennsylvania, as the "Congressman James Grove Fulton Memorial Post Office Building", by a yea-and-nay vote of 396 yeas to 1 nay, Roll No. 538; **Pages 23618, 23629**

Gagetown Veterans Memorial Post Office Designation Act: H.R. 3368, to designate the facility of the United States Postal Service located at 6483 Lincoln Street in Gagetown, Michigan, as the "Gagetown Veterans Memorial Post Office"; **Page 23620**

Supporting efforts to promote greater awareness of effective runaway youth prevention programs and the need for safe and productive alternatives, resources, and supports for homeless youth: H. Res. 484, to support efforts to promote greater awareness of effective runaway youth prevention programs and the need for safe and productive alternatives, resources, and supports for homeless youth; and **Page 23621**

Establishing an interagency aerospace revitalization task force to develop a national strategy for aerospace workforce recruitment, training, and cultivation: H.R. 758, to establish an interagency aerospace revitalization task force to develop a national strategy for aerospace workforce recruitment, training, and cultivation. **Page 23623**

Presidential Message: Read message from the President wherein he transmitted a report concerning the National Emergency with Respect to the Proliferation of Weapons of Mass Destruction referred to the Committee on International Relations and ordered printed (H. Doc. 109–63). **Page 23626**

Recess: The House recessed at 3:42 p.m. and reconvened at 6:32 p.m. **Page 23626**

Moment of Silence: The House observed a moment of silence in memory of Mrs. Rosa Louise Parks. **Page 23629**

Senate Message: Message received from the Senate today appears on pages 23610 and 23621.

Senate Referrals: S. 1382 was referred to the Committee on Resources and S. 1905 was held at the desk. **Page 23659**

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages 23626 and 23628–30. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 11:50 p.m.

Committee Meetings

BUDGET RECONCILIATION

Committee on Energy and Commerce: Began discussion of Title I, the Digital Television Transition Act of 2005, and Title II, which will consist of Medicaid, Katrina health relief and Katrina energy relief, of Budget reconciliation recommendations.

Will continue tomorrow.

BRIEFING—AGRO-TERRORISM THREAT ASSESSMENT

Committee on Homeland Security: Subcommittee on Prevention of Nuclear and Biological Attack met in executive session to receive a briefing on assessing the threat of agro-terrorism. The Subcommittee was briefed by departmental witnesses.

OVERSIGHT—VOTING RIGHTS ACT

Committee on the Judiciary: Subcommittee on the Constitution held an oversight hearing entitled "The Voting Rights Act: Section 5 of the Act: History, Scope, and Purpose." Testimony was heard from Brad Schlozman, Acting Assistant Attorney General, Civil Rights Division, Department of Justice; and public witnesses.

The Subcommittee also held an oversight hearing entitled "The Voting Rights Act: The Continuing Need for Section 5." Testimony was heard from public witnesses.

LAWSUIT ABUSE REDUCTION ACT OF 2005

Committee on Rules: Granted, by voice vote, a structured rule providing one hour of general debate on H.R. 429, Lawsuit Abuse Reduction Act of 2005, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. The rule provides that the amendments printed in the report may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Sensenbrenner and Representative Schiff.

FEDERAL HOUSING FINANCE REFORM ACT OF 2005

Committee on Rules: Granted, by a vote of 7 to 3, a structured rule providing one hour of general debate on H.R. 1461, Federal Housing Finance Reform Act of 2005, equally divided and controlled by the chairman and ranking minority member of the Committee on Financial Services. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the committee amendment in the nature of a substitute. The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. The rule provides that the amendments made in order may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Baker, Leach, Royce, Kennedy of Minnesota, Renzi, Frank of Massachusetts, Kanjorski, and Davis of Alabama.

Wednesday, October 26, 2005

Senate

Chamber Action

Routine Proceedings, pages 23679–23781

Measures Introduced: Five bills and one resolution were introduced, as follows: S. 1921–1925, and S. Res. 288. **Page 23745**

Measures Reported:

S. Res. 255, recognizing the achievements of the United States Fish and Wildlife Service and the Waterfowl Population Survey.

S. 1285, to designate the Federal building located at 333 Mt. Elliott Street in Detroit, Michigan, as the "Rosa Parks Federal Building". **Page 23745**

Measures Passed:

Rosa Parks Federal Building/William B. Bryant Annex: Senate passed S. 1285, to designate the Federal building located at 333 Mt. Elliott Street in Detroit, Michigan, as the "Rosa Parks Federal Building", after agreeing to the following amendment proposed thereto: **Page 23719**

Warner Amendment No. 2330, to designate the annex to the E. Barrett Prettyman Federal Building and United States Courthouse located at 333 Constitution Avenue Northwest in the District of Columbia as the "William B. Bryant Annex". **Page 23719**

Recognizing Wellington Mara: Senate agreed to S. Res. 288, recognizing the life and accomplishments of Wellington Mara of New York. **Page 23779**

National Domestic Violence Awareness Month: Committee on the Judiciary was discharged from further consideration of S. Res. 282, supporting the goals and ideals of National Domestic Violence Awareness Month and expressing the sense of the Senate that Congress should raise awareness of domestic violence in the United States and its devastating effects on families, and the resolution was then agreed to. **Page 23779**

Labor/HHS/Education Appropriations: Senate continued consideration of H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, taking action on the following amendments proposed thereto: **Page 23683**

Adopted:

Coburn Amendment No. 2231, to require that any limitation, directive, or earmarking contained in either the House of Representatives or Senate report accompanying this bill be included in the conference report or joint statement accompanying the bill in order to be considered as having been approved by both Houses of Congress. **Page 23702**

Santorum Amendment No. 2239, to provide funding for the purchase of rapid oral HIV tests. **Page 23708**

Specter Amendment No. 2291, to restrict the use of funds to implement or enforce the interim final rule with respect to power mobility devices. **Page 23712**

Specter (for Levin) Amendment No. 2268, to amend section 316 of the Immigration and Nationality Act, to reduce the residency requirement and limit the adjudication period for the naturalization of aliens with extraordinary ability so that such aliens may represent the United States as international events. **Page 23713**

Specter (for Chambliss) Amendment No. 2260, to permit an alien to remain eligible for a diversity visa beyond the fiscal year in which the alien applied for the visa. **Page 23712**

Specter (for Frist) Amendment No. 2278, to increase funding for suicide prevention activities. **Page 23729**

Durbin Amendment No. 2315, to designate a port of entry. **Page 23729**

Durbin Amendment No. 2228, to ensure the scientific integrity of Federally-funded scientific advisory committees and their findings. **Pages 23699, 23729**

Harkin (for Kennedy) Modified Amendment No. 2246, to ensure that the Current Employment Survey maintains the content of the survey issued prior to August 2005 with respect to the collection of data for the women worker series. **Page 23729**

Dayton Amendment No. 2244, to provide for the production and mailing of a corrected Medicare and You handbook. **Pages 23707, 23733**

Rejected:

By 46 yeas to 53 nays (Vote No. 271), Gregg/Grassley Modified Amendment No. 2253, to increase appropriations for the Low-Income Home Energy Assistance Program by $1,276,000,000, with an across-the-board reduction. **Page 23716**

By 14 yeas to 85 nays (Vote No. 274), Coburn Amendment No. 2232, to increase funding for the AIDS drug assistance program. **Pages 23703, 23722**

Pending:

Sununu Amendment No. 2214, to provide for the funding of the Low-Vision Rehabilitation Services Demonstration Project. **Page 23683**

Sununu Modified Amendment No. 2215, to increase funding for community health centers. **Pages 23683, 23699**

Thune Further Modified Amendment No. 2193, to provide funding for telehealth programs. **Pages 23683, 23736**

Murray Amendment No. 2220, to provide stop gap coverage for low-income Seniors and disabled individuals who may lose benefits or suffer a gap in coverage due to the implementation of the Medicare part D prescription drug benefit. **Page 23683**

Harkin Modified Amendment No. 2283, to make available funds for pandemic flu preparedness. **Pages 23689, 23692, 23715**

Clinton/Schumer Amendment No. 2313, to provide for payments to the New York State Uninsured Employers Fund for reimbursement of claims related to the terrorist attacks of September 11, 2001, and payments to the Centers for Disease Control and Prevention for treatment for emergency services personnel and rescue and recovery personnel. **Pages 23699, 23737**

Coburn Amendment No. 2233, to prohibit the use of funds for HIV Vaccine Awareness Day activities. **Page 23702**

Coburn Amendment No. 2230, to limit funding for conferences. **Page 23702**

Dayton Amendment No. 2245, to fully fund the Federal Government's share of the costs under part B of the Individuals with Disabilities Education Act. **Page 23708**

Dayton Amendment No. 2289, to increase funding for disabled voter access services under the Help America Vote Act of 2002. **Page 23708**

Santorum Amendment No. 2241, to establish a Congressional Commission on Expanding Social Service Delivery Options. **Page 23708**

Santorum Amendment No. 2237, to provide grants to promote healthy marriages. **Page 23710**

Durbin (for Boxer/Ensign) Amendment No. 2287, to increase appropriations for after-school programs through 21st century community learning centers. **Page 23723**

Bingaman (for Smith/Bingaman) Amendment No. 2259, to provide funding for the AIDS Drug Assistance Program within the Health Resources and Services Administration. **Page 23723**

Bingaman Amendment No. 2218, to increase funding for advanced placement programs. **Page 23724**

Bingaman Amendment No. 2219, to increase funding for school dropout prevention. **Page 23724**

Bingaman/Salazar Amendment No. 2262, to increase funding for education programs serving Hispanic students. **Page 23725**

Harkin Amendment No. 2322, to prohibit payments for administrative expenses under the Medicaid program if more than 15 percent of applications for medical assistance, eligibility redeterminations, and change reports are processed by individuals who are not State employees meeting certain personnel standards. **Page 23728**

Cornyn Amendment No. 2277, to increase the amount of appropriated funds available for Community-Based Job Training Grants. **Page 23728**

Landrieu Amendment No. 2248, to increase appropriations for the Federal TRIO programs for students affected by Hurricanes Katrina or Rita. **Page 23733**

Landrieu Amendment No. 2250, to provide funding to carry out the Mosquito Abatement for Safety and Health Act. **Page 23734**

Landrieu Amendment No. 2249, to require that any additional community health center funding be directed, in part, to centers in areas affected by Hurricane Katrina or Hurricane Rita. **Page 23734**

Collins/Feingold Modified Amendment No. 2265, to fund grants for innovative programs to address dental workforce needs. **Page 23734**

Murray Amendment No. 2285, to insert provisions related to an investigation by the Inspector General. **Page 23735**

Ensign Amendment No. 2300, to prohibit funding for the support, development, or distribution of the Department of Education's e-Language Learning System (ELLS). **Page 23737**

During consideration of this measure today, the Senate also took the following action:

By 44 yeas to 51 nays (Vote No. 269), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Byrd Amendment No. 2275, to provide additional funding for title I of the Elementary and Secondary Education Act of 1965. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell. **Page 23685**

By 54 yeas to 43 nays (Vote No. 270), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 502(c)(5) of H. Con. Res. 95, Congressional Budget Resolution, with respect to the emergency designation provision in Reed Further Modified Amendment No. 2194, to provide for appropriations for the Low-Income Home Energy Assistance Program. Subsequently, a point of order that the emergency designation provision would violate section 502(c)(5) of H. Con. Res. 95 was sustained and the provision was stricken. Also, the Chair sustained a point order that the amendment would exceed the subcommittee's 302(b) allocation and the amendment thus fell. **Pages 23683, 23684, 23718**

By 47 yeas to 52 nays (Vote No. 272), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Dodd Amendment No. 2254, to increase appropriations for Head Start programs. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell. **Pages 23692, 23719**

By 46 yeas to 53 nays (Vote No. 273), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Clinton Amendment No. 2292, to provide additional funding for part B of the Individuals with Disabilities Education Act. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell. **Pages 23695, 23721**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Thursday, October 27, 2005, with the time until 10 a.m., equally divided between the majority and the minority, and at 10 a.m., Senate vote on the motion to invoke cloture on the bill; provided further, that Senators have up until 10 a.m. to file second-degree amendments. **Page 23780**

Defense Authorization—Agreement: A unanimous-consent-time agreement was reached providing that at a time determined by the Majority Leader, with the concurrence of the Democratic Leader, Senate resume consideration of S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces; that it be considered under certain limitations relative to amendments; provided further, that there be 2 hours of general debate on the bill divided between the two managers; and that at the expiration of that time and the disposition of certain amendments, the bill be read a third time, and the Senate then proceed to a vote on the passage of the bill, as amended, if amended.

Nominations Confirmed: Senate confirmed the following nominations:

Robert Joseph Henke, of Virginia, to be an Assistant Secretary of Veterans Affairs (Management).

William F. Tuerk, of Virginia, to be Under Secretary of Veterans Affairs for Memorial Affairs.

Lisette M. Mondello, of Texas, to be an Assistant Secretary of Veterans Affairs (Public and Intergovernmental Affairs). **Pages 23778, 23781**

Nominations Received: Senate received the following nominations:

Bernadette Mary Allen, of Maryland, to be Ambassador to the Republic of Niger.

Janice L. Jacobs, of Virginia, to be Ambassador to the Republic of Senegal, and to serve concurrently and without additional compensation as Ambassador to the Republic of Guinea-Bissau.

Marilyn Ware, of Pennsylvania, to be Ambassador to Finland.

Routine lists in the Army. **Page 23780**

Messages From the House: **Page 23744**

Measures Referred: **Page 23744**

Executive Communications: **Page 23744**

Additional Cosponsors: **Page 23746**

Statements on Introduced Bills/Resolutions: Page 23748

Additional Statements: Page 23743

Amendments Submitted: Page 23751

Notices of Intent: Page 23777

Notices of Hearings/Meetings: Page 23777

Authorities for Committees to Meet: Page 23778

Privileges of the Floor: Page 23778

Record Votes: Six record votes were taken today. (Total–274) Pages 23692, 23718–19, 23722–23

Adjournment: Senate convened at 9:30 a.m., and adjourned at 7:51 p.m., until 9:30 a.m., on Thursday, October 27, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 23780.)

Committee Meetings

RECONCILIATION

Committee on the Budget: Committee ordered favorably reported an original bill entitled, "Deficit Reduction Omnibus Reconciliation Act of 2005".

FEDERAL LANDS RECREATION ENHANCEMENT ACT

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests concluded a hearing to examine the implementation of the Federal Lands Recreation Enhancement Act (P.L. 108–447), by the Forest Service and the Department of the Interior, after receiving testimony from Mark Rey, Under Secretary of Agriculture for Natural Resources and Environment; P. Lynn Scarlett, Assistant Secretary of the Interior for Policy, Management and Budget; Marvel C. Stalcup, Arizona No-Fee Coalition, Sedona; Kitty Benzar, Western Slope No-Fee Coalition, Norwood, Colorado; Lance Young, One World Outing Club, Seattle, Washington; and Aubrey C. King, King and Gorin, Bowie, Maryland, on behalf of Western States Tourism Policy Council, Southeast Tourism Society, National Association of RV Parks and Campgrounds, and the National Alliance of Gateway Communities.

BUSINESS MEETING

Committee on Environment and Public Works: Committee reported favorably the following business items:

S. 1869, to reauthorize the Coastal Barrier Resources Act;

S. Res. 255, recognizing the achievements of the United States Fish and Wildlife Service and the Waterfowl Population Survey; and S. 1285, to designate the Federal building located at 333 Mt. Elliott Street in Detroit, Michigan, as the "Rosa Parks Federal Building".

Also, committee failed to approve for reporting S. 1772, to streamline the refinery permitting process, as amended.

ECO-TERRORISM: ANIMAL RIGHTS ACTIVISTS

Committee on Environment and Public Works: Committee continued a hearing to examine the threat posed by animal rights activists, specifically Stop Huntingdon Animal Cruelty and their use of direct action against individuals and companies, focusing on efforts to combat domestic extremists, and ways to protect victims, after receiving testimony from John E. Lewis, Deputy Assistant Director, Counterterrorism Division, Federal Bureau of Investigation, and Barry M. Sabin, Chief, Counterterrorism Section, Criminal Division, both of the Department of Justice; Mark L. Bibi, Huntingdon Life Sciences, Inc., Hackensack, New Jersey; Skip Boruchin, Legacy Trading Company, Edmond, Oklahoma; Richard P. Bernard, New York Stock Exchange, New York, New York; and Jerry Vlasak, North American Animal Liberation Press Office, Santa Monica, California.

NOMINATION

Committee on Foreign Relations: Committee concluded a hearing to examine the nomination of James Caldwell Cason, of Florida, to be Ambassador to the Republic of Paraguay, after the nominee testified and answered questions in his own behalf.

UNCOLLECTED TAXES

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, and International Security concluded an oversight hearing to examine the tax gap, focusing on components that make up the tax gap and how to ensure that American taxpayers are not bearing the financial burden of those who are not complying with the law, after receiving testimony from Mark Everson, Commissioner, Internal Revenue Service, Department of the Treasury; Bart Lanier Graham, Georgia Department of Revenue, Atlanta; and Colleen M. Kelley, National Treasury Employees Union, Washington, D.C.

EMERGENCY PREPAREDNESS

Committee on the Judiciary: Subcommittee on Terrorism, Technology and Homeland Security concluded a hearing to examine emergency preparedness relating to terrorism, focusing on communications failures, risk-based funding, and risk assessment, after receiving testimony from former Senator Slade Gorton, on behalf of the National Commission on Terrorist Attacks Upon the United States; Wayne C. Thomas, Innovative Emergency Management, Inc., Baton Rouge, Louisiana; Henry R. Renteria, California Governor's Office of Emergency Services, Mather; Matthew R. Bettenhausen, California Office of Homeland Security, Sacramento; and Michael O'Hanlon, Brookings Institution, Washington, D.C.

NINTH CIRCUIT

Committee on the Judiciary: Subcommittee on Administrative Oversight and the Courts concluded a hearing to examine proposals to divide the Ninth Judicial Circuit of the United States, including S. 1296, S. 1301, and S. 1845, after receiving testimony from Diarmuid F. O'Scannlain, Portland, Oregon, Richard C. Tallman, Seattle, Washington, Alex Kozinski, Pasadena, California, Andrew J. Kleinfeld, Fairbanks, Alaska, and Sidney R. Thomas, Billings, Montana, each a Circuit Judge, and Mary M. Schroeder, Chief Judge, Phoenix, Arizona, all of the United States Court of Appeals for the Ninth Circuit; and District Judge John M. Roll, United States District Court for the District of Arizona, Tucson; and Chief Judge Emeritus Marilyn L. Huff, United States District Court for the Southern District of California, San Diego.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 11 public bills, H.R. 4144–4154; and 13 resolutions, H. Con. Res. 275–279; and H. Res. 511–518 were introduced. **Page 23963**

Additional Cosponsors: **Page 23964**

Reports Filed: Reports were filed today as follows:

Conference report on H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006 (H. Rept. 109–255). **Page 23963**

Speaker: Read a letter from the Speaker wherein he appointed Representative Miller of Michigan to act as Speaker pro tempore for today. **Page 23782**

Chaplain: The prayer was offered today by Rev. Mark Vander Meer, Pastor, Monocacy Valley Church, Ijamsville, Maryland. **Page 23782**

Journal: Agreed to the Speaker's approval of the Journal by a yea-and-nay vote of 349 yeas to 62 nays with 2 voting "present", Roll No. 540. **Page 23782, 23803**

Energy and Water Development Appropriations Act, 2006—Motion to go to Conference: The House disagreed to the Senate amendment and agreed to a conference on H.R. 2419, to make appropriations for energy and water development for the fiscal year ending September 30, 2006. **Page 23787**

Appointed as conferees: Representatives Messrs. Hobson, Frelinghuysen, Latham, Wamp, Mrs. Emerson, Messrs. Doolittle, Simpson, Rehberg, Lewis of California, Visclosky, Edwards, Pastor, Clyburn, Berry, and Obey. **Page 23787**

Suspensions—Proceedings Postponed: The House completed debate on the following measure under suspension of the rules. Further consideration will continue tomorrow, Thursday, October 27th:

Hurricane Katrina Financial Services Relief Act of 2005: H.R. 3945, amended, to facilitate recovery from the effects of Hurricane Katrina by providing greater flexibility for, and temporary waivers of certain requirements and fees imposed on, depository institutions and Federal regulatory agencies; and **Page 23878**

Congratulating the State of Israel on the election of Ambassador Dan Gillerman as Vice-President of the 60th United Nations General Assembly: H. Res. 368, to congratulate the State of Israel on the election of Ambassador Dan Gillerman as Vice-President of the 60th United Nations General Assembly. **Page 23884**

Federal Housing Finance Reform Act of 2005: The House passed H.R. 1461, to reform the regulation of certain housing-related Government-sponsored enterprises, after adopting the amendment in the nature of a substitute, by a recorded vote of 331 ayes to 90 noes, Roll No. 547. **Pages 23787, 23803, 23870**

Rejected the Frank motion to recommit the bill to the Committee on Financial Services with instructions to report the same back to the House forthwith with amendments, by a recorded vote of 200 ayes to 220 noes, Roll No. 546. **Page 23874**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the committee amendment in the nature of a substitute. **Pages 23787, 23820**

Agreed to:

Carson amendment (no. 2 printed in H. Rept. 109–254) that permits personal property loans secured by manufactured housing to be considered in determining whether a GSE has met its duty to serve underserved markets. The amendment permits manufactured homes that have not been attached to ground owned by a manufactured home owner to count towards this goal; **Page 23859**

Davis of Alabama amendment (no. 3 printed in H. Rept. 109–254) which clarifies the definition of "rural" to make it consistent with the same definition in the Housing Act of 1949. The amendment retains "micropolitian area" and "tribal trust lands" as part of the definition; **Page 23860**

Oxley Manager's amendment (no. 1 printed in H. Rept. 109–254) that makes a number of technical and conforming changes to the affordable housing role of Fannie Mae and Freddie Mac. The amendment also clarifies that federally recognized tribes and Alaskan Native villages qualify for funding under the Affordable Housing Fund established by the bill, (by a recorded vote of 210 ayes to 205 noes, Roll No. 541); **Page 23862**

Sanchez, Loretta, of California amendment (no. 8 printed in H. Rept. 109–254) that adds "alternative credit scoring" as an additional element to the Annual Housing Report Regarding Regulated Entities; and **Page 23869**

Kanjorski amendment (no. 9 printed in H. Rept. 109–254) that restores Presidential appointees on the boards of Fannie Mae and Freddie Mac and by retaining the regulatory appointees on the boards of the Federal Home Loan Banks. Makes modifications to the boards of the Federal Home Loan Banks related to the number of regulatory appointees, the expertise of appointees in community and economic development, and the allowable continued service of appointees after the expiration of their terms. **Page 23870**

Rejected:

Leach amendment (no. 4 printed in H. Rept. 109–254) which sought to give the newly created regulator (FHFA) greater authority to impose capital strictures on GSEs, (by a recorded vote of 36 ayes to 378 noes, Roll No. 542); **Pages 23860, 23862**

Royce amendment (no. 5 printed in H. Rept. 109–254) which sought to authorize the regulator to require one or both of the enterprises to dispose or acquire assets or liabilities if the regulator deems those assets or liabilities to be a potential systemic risk to the housing market, the capital markets, or the financial system, (by a recorded vote of 73 ayes to 346 noes, Roll No. 543); **Pages 23863, 23871**

Paul amendment (no. 6 printed in H. Rept. 109–254) which sought to eliminate the ability of Fannie Mae, Freddie Mac, and the Federal Home Loan Bank Board, to borrow from the Treasury, (by a recorded vote of 47 ayes to 371 noes, Roll No. 544); and **Pages 23865, 23872**

Garrett amendment (no. 7 printed in H. Rept. 109–254) which sought to strike the language in the bill that raises the Conforming Loan Limit, (by a recorded vote of 57 ayes to 358 noes, Roll No. 545). **Pages 23867, 23873**

Agreed that the Clerk be authorized to make technical and conforming changes in the engrossment of the bill to reflect the actions of the House. **Page 23878**

H. Res. 509, the rule providing for consideration of the bill was agreed to by a yea-and-nay vote of 220 yeas to 196 nays, Roll No. 539, after agreeing to order the previous question by voice vote. **Page 23787**

Committee Resignation: Read a letter from Representative Blunt wherein he resigned from the Committee on Energy and Commerce. **Page 23870**

Committee Election: The House agreed to H. Res. 513 electing Representative Barrett to the Committee on Energy and Commerce. **Page 23870**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Amending the Federal Food, Drug, and Cosmetic Act to provide for the regulation of all contact lenses as medical devices: S. 172, to amend the Federal Food, Drug, and Cosmetic Act to provide for the regulation of all contact lenses as medical devices—clearing the measure for the President; **Page 23878**

Designating the Federal building located at 333 Mt. Elliott Street in Detroit, Michigan, as the "Rosa Parks Federal Building": H.R. 2967, to designate the Federal building located at 333 Mt. Elliott Street in Detroit, Michigan, as the "Rosa Parks Federal Building"; and **Page 23880**

Iran Nonproliferation Amendments Act of 2005: S. 1713, amended, to make amendments to the Iran Nonproliferation Act of 2000 related to International Space Station payments—clearing the measure for the President. **Page 23923**

Agreed to amend the title so as to read: "An Act to make amendments to the Iran Nonproliferation Act of 2000 related to International Space Station payments, and for other purposes.". **Page 23930**

Enrollment of H.R. 3765: The House agreed by unanimous consent to H. Con. Res. 276, requesting the President to return to the House of Representatives the enrollment of H.R. 3765 so that the Clerk of the House may reenroll the bill in accordance with the action of the two Houses. **Page 23880**

Senate Message: Message received from the Senate today appears on page 23800.

Senate Referrals: S. 443 was referred to the Committee on the Judiciary. **Page 23961**

Quorum Calls—Votes: Two yea-and-nay votes, and seven recorded votes developed during the proceedings of today and appear on pages 23802–04, 23862–63, 23872–73, and 23877–78. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:16 p.m.

Committee Meetings

MISSISSIPPI RIVER AGRICULTURAL TRANSPORTATION

Committee on Agriculture: Held a hearing to review the current impact of Mississippi River transportation on agricultural markets. Testimony was heard from the following officials of the Department of the Army: John Paul Woodley, Jr., Assistant Secretary (Civil Works); and MG Don T. Riley, USA, Director, Civil Works, U.S.

Army Corps of Engineers; Floyd Gaibler, Deputy Under Secretary, Farm and Foreign Agricultural Services, USDA; and public witnesses.

REGIONAL POWERS' MILITARY CAPABILITIES AND THREATS TO U.S. INTERESTS

Committee on Armed Services: Regional Powers Panel held a hearing on an overview of regional powers' military capabilities and threats to U.S. interests. Testimony was heard from James R. Lilley, former Ambassador to the People's Republic of China and to the Republic of Korea; and a public witness.

RADICAL ISLAMIC TERRORIST THREAT

Committee on Armed Services: Terrorism and Radical Islam Gap Panel held a hearing on responding to the radical Islamic terrorist threat—the Department of Defense's roles, missions, and capabilities in the Global War on Terrorism. Testimony was heard from MG Robert H. Scales, Jr., USA (Ret.), former Commandant, U.S. Army War College; and a public witness.

BUDGET RECONCILIATION

Committee on Education and the Workforce: Approved, as amended, amendments to the Employee Retirement Income Security Act (ERISA); and amendments to the Higher Education Act to be transmitted to the Committee on the Budget in compliance with the reconciliation directive included in section 201(a) of the Concurrent Resolution on the Budget for Fiscal Year 2006.

Will continue tomorrow.

BUDGET RECONCILIATION

Committee on Energy and Commerce: Approved, as amended, reconciliation recommendations for Title I, Digital Television Transition Act of 2005, for transmission to the Committee on the Budget in compliance with the reconciliation directive included in section 201(a) of the Concurrent Resolution on the Budget for Fiscal Year 2006.

Will continue tomorrow.

FEDERAL REAL PROPERTY DISPOSAL PILOT PROGRAM AND MANAGEMENT IMPROVEMENT ACT OF 2005

Committee on Government Reform: Ordered reported, as amended, H.R. 3134, Federal Real Property Disposal Pilot Program and Management Improvement Act of 2005.

RESOLUTION—DIRECTING CERTAIN INFORMATION BE PROVIDED RELATING TO REAPPORTIONMENT OF AIRPORT SCREENERS

Committee on Homeland Security: Ordered unfavorably reported H. Res. 463, Of inquiry directing the Secretary of Homeland Security to provide certain information to the House of Representatives relating to the reapportionment of airport screeners.

ENSURING OPERABILITY DURING CATASTROPHIC EVENTS

Committee on Homeland Security: Subcommittee on Emergency Preparedness, Science, and Technology held a hearing entitled "Ensuring Operability During Catastrophic Events." Testimony was heard from Mark Rey, Under Secretary, Natural Resources and Environment, USDA; the following officials of the Department of Homeland Security: David Boyd, Director, SAFECOM, Office of Interoperability and Communications; and Peter Fonash, Deputy Manager, National Communications System; Ken Moran, Director, Office of Homeland Security, Enforcement Bureau, FCC; and Linton Wells, Acting Assistant Secretary, Networks and Information, Integration and Chief Information Officer, Department of Defense.

U.S.-INDIA GLOBAL PARTNERSHIP

Committee on International Relations: Held a hearing on the U.S.-India Global Partnership: The Impact of Nonproliferation. Testimony was heard from public witnesses.

BUDGET RECONCILIATION

Committee on Resources: Approved reconciliation recommendations for transition to the Committee on the Budget in compliance with the reconciliation directive included in section 201(a) of the Concurrent Resolution on the Budget for Fiscal Year 2006.

WORLD TRADE CENTER COLLAPSE INVESTIGATION

Committee on Science: Held a hearing on the Investigation of the World Trade Center Collapse: Findings, Recommendations and Next Steps. Testimony was heard from William Jeffrey, Director, National Institute of Standards and Technology, Department of Commerce; and public witnesses.

MISCELLANEOUS MEASURES; BUDGET RECONCILIATION

Committee on Transportation and Infrastructure: Ordered reported the following bills: H.R. 1721, To amend the Federal Water Pollution Control Act to reauthorize programs to improve the quality of coastal recreation waters; H.R. 3963, To amend the Federal Water Pollution Control Act to extend the authorization of appropriations for Long Island Sound; and H.R. 4125, To permit the Administrator of General Services to make repairs and lease space without approval of a prospectus if the repair or lease is required as a result of damages to buildings or property attributable to Hurricane Katrina or Hurricane Rita.

The Committee also approved U.S. Army Corps of Engineers Survey Resolutions; a Natural Resources Conservation Service Resolution; and GSA Capital Investment and Leasing Program Resolutions for Fiscal Year 2006.

The Committee approved recommendations for transmittal to the Committee on the Budget to comply with

Reconciliation Directive included in Section 201(a) of the Concurrent Resolution on the Budget for Fiscal Year 2006.

BUDGET RECONCILIATION

Committee on Ways and Means: Approved Entitlement Reconciliation Recommendations, as amended, for transmission to the Committee on the Budget in compliance with the reconciliation directive in section 201(a) of the Concurrent Resolution on the Budget for Fiscal Year 2006.

MILITARY INTELLIGENCE PROGRAM

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on Military Intelligence Program. Testimony was heard from departmental witnesses.

Joint Meetings

U.S. INTERESTS

Commission on Security and Cooperation in Europe (Helsinki Commission): On Tuesday, October 25, Commission concluded a hearing to examine how the United States can best utilize the Organization for Security and Cooperation in Europe in advancing the interests of the United States, after receiving testimony from Daniel Fried, Assistant Secretary of State, Bureau of European and Eurasian Affairs.

APPROPRIATIONS: AGRICULTURE

Conferees agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006.

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Thursday, October 27, 2005

Senate

Chamber Action

Routine Proceedings, pages 24059–24146

Measures Introduced: Twelve bills and six resolutions were introduced, as follows: S. 1926–1937, S. Res. 289–293, and S. Con. Res. 61. **Page 24114**

Measures Reported:

H.R. 797, to amend the Native American Housing Assistance and Self-Determination Act of 1996 and other Acts to improve housing programs for Indians. (S. Rept. No. 109–160)

S. 485, to reauthorize and amend the National Geologic Mapping Act of 1992. (S. Rept. No. 109–161)

S. 761, to rename the Snake River Birds of Prey National Conservation Area in the State of Idaho as the Morley Nelson Snake River Birds of Prey National Conservation Area in honor of the late Morley Nelson, an international authority on birds of prey, who was instrumental in the establishment of this National Conservation Area. (S. Rept. No. 109–162)

S. 1170, to establish the Fort Stanton-Snowy River National Cave Conservation Area, with an amendment in the nature of a substitute (S. Rept. No. 109–163)

S. 166, to amend the Oregon Resource Conservation Act of 1996 to reauthorize the participation of the Bureau of Reclamation in the Deschutes River Conservancy. (S. Rept. No. 109–164)

S. 251, to authorize the Secretary of the Interior, acting through the Bureau of Reclamation, to conduct a water resource feasibility study for the Little Butte/Bear Creek Sub-basins in Oregon, with amendments. (S. Rept. No. 109–165)

S. 213, to direct the Secretary of the Interior to convey certain Federal land to Rio Arriba County, New Mexico, with an amendment in the nature of a substitute. (S. Rept. No. 109–166)

S. 592, to extend the contract for the Glendo Unit of the Missouri River Basin Project in the State of Wyoming. (S. Rept. No. 109–167)

S. 819, to authorize the Secretary of the Interior to reallocate costs of the Pactola Dam and Reservoir, South Dakota, to reflect increased demands for municipal, industrial, and fish and wildlife purposes. (S. Rept. No. 109–168)

S. 891, to extend the water service contract for the Ainsworth Unit, Sandhills Division, Pick-Sloan Missouri Basin Program, Nebraska. (S. Rept. No. 109–169)

S. 1338, to require the Secretary of the Interior, acting through the Bureau of Reclamation and the United States Geological Survey, to conduct a study on groundwater resources in the State of Alaska with an amendment. (S. Rept. No. 109–170)

S. 777, to designate Catoctin Mountain Park in the State of Maryland as the "Catoctin Mountain National Recreation Area", with amendments. (S. Rept. No. 109–171)

H.R. 1101, to revoke a Public Land Order with respect to certain lands erroneously included in the Cibola National Wildlife Refuge, California. (S. Rept. No. 109–172)

S. 1803, to authorize appropriations for fiscal year 2006 for intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, with amendments. (S. Rept. No. 109–173)

S. 1932, to provide for reconciliation pursuant to section 202(a) of the concurrent resolution on the budget for fiscal year 2006 (H. Con. Res. 95). **Page 24113**

Measures Passed:

Disaster Relief and Emergency Assistance: Senate passed S. 939, to expedite payments of certain Federal emergency assistance authorized pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, to authorize the reimbursement under that Act of certain expenditures, after agreeing to the committee amendment in the nature of a substitute, and the following amendments proposed thereto: **Page 24132**

Martinez (for Collins/Martinez) Amendment No. 2340, in the nature of a substitute. **Page 24133**

Martinez Amendment No. 2341, to amend the title. **Page 24134**

Enrollment Correction: Senate agreed to H. Con. Res. 276, requesting the President to return to the House of Representatives the enrollment of H.R. 3765 so that the Clerk of the House may reenroll the bill in accordance with the action of the two Houses. **Page 24132**

Labor/HHS/Education Appropriations: By 94 yeas to 3 nays (Vote No. 281), Senate passed H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, after taking action on the following amendments proposed thereto: **Pages 24059, 24084**

Adopted:

Clinton/Schumer Amendment No. 2313, to provide for payments to the New York State Uninsured Employers Fund for reimbursement of claims related to the terrorist attacks of September 11, 2001, and payments to the Centers for Disease Control and Prevention for treatment for emergency services personnel and rescue and recovery personnel. **Pages 24059, 24060**

Thune Further Modified Amendment No. 2193, to provide funding for telehealth programs. **Pages 24059, 24064**

Collins/Feingold Modified Amendment No. 2265, to fund grants for innovative programs to address dental workforce needs. **Pages 24059, 24064**

Specter (for Lautenberg) Amendment No. 2269, to prohibit the use of funds to provide abstinence education that includes information that is medically inaccurate. **Page 24064**

Sununu Modified Amendment No. 2214, to provide for the funding of the Low-Vision Rehabilitation Services Demonstration Project. **Pages 24059, 24064**

Specter (for Alexander) Modified Amendment No. 2308, to provide funding for a National Assessment of Educational Progress test in United States history. **Page 24064**

Bingaman Modified Amendment No. 2219, to increase funding for school dropout prevention. **Pages 24059, 24064**

Bingaman/Hutchison Modified Amendment No. 2218, to provide funding for advanced placement programs. **Pages 24059, 24080**

Harkin Further Modified Amendment No. 2283, to make available funds for influenza preparedness. **Pages 24059, 24064, 24084**

Specter (for Allen/Warner) Amendment No. 2324, to express the Sense of the Senate concerning the treatment of physician costs in the calculation of the Medicaid disproportionate share hospital uncompensated cost limit by the State of Virginia. **Page 24087**

Feingold/Collins Modified Amendment No. 2279, to provide funding for the Automatic Defibrillation in Adam's Memory Act. **Pages 24079, 24088**

Specter (for Cochran) Amendment No. 2299, to provide additional public health funding. **Pages 24088, 24096**

Specter (for Obama) Amendment No. 2301, to increase funds to the Thurgood Marshall Legal Educational Opportunity Program and to the Office of Special Education Programs of the Department of Education for the purpose of expanding positive behavioral interventions and supports. **Page 24088**

Specter (for Coleman/Bingaman) Amendment No. 2327, to develop a strategic plan for increasing the number of foreign students attending institutions of higher education in the United States. **Page 24088**

Landrieu Modified Amendment No. 2248, to increase appropriations for the Federal TRIO programs. **Pages 24059, 24088**

Landrieu Modified Amendment No. 2250, to provide funding to carry out the Mosquito Abatement for Safety and Health Act. **Pages 24059, 24088**

Sununu Further Modified Amendment No. 2215, to increase funding for community health centers. **Pages 24059, 24089**

Specter (for Domenici) Modified Amendment No. 2276, to provide appropriations for the National Youth Sports Program, a private, nonprofit organization to provide recreational activities for low-income youth, primarily in the summer months, which employs college and university athletic facilities. **Page 24089**

Bingaman Modified Amendment No. 2262, to increase funding for education programs serving Hispanic students. **Pages 24059, 24081, 24089**

Kerry Amendment No. 2216, to provide for a limitation on funds. **Page 24092**

Coburn Modified Amendment No. 2230, to limit funding for travel and conferences. **Pages 24059, 24096**

Specter (for Levin) Amendment No. 2282, to create a national family reunification initiative. **Page 24096**

Dayton Modified Amendment No. 2289, to increase funding for disabled voter access services under the Help America Vote Act of 2002. **Pages 24059, 24097**

Specter (for Enzi) Modified Amendment No. 2295, to prohibit certain action with respect to redesignation of local areas. **Page 24097**

Specter (for Coburn) Modified Amendment No. 2234, to ensure fiscal integrity of the payments made by Federal agencies and to prohibit the use of funds until the Department of Health and Human Services and the Department of Education have reported specific actions taken to estimate improper payments under the Temporary Assistance for Needy Families, Foster Care and Adoption Assistance, Medicaid, and State Children's Health Insurance programs, the Child Care and Development Block Grant Act of 1990, and programs and activities under title I of the Elementary and Secondary Education Act of 1965, as required under the Improper Payments Information Act of 2002. **Page 24097**

Harkin Modified Amendment No. 2280, to authorize the Secretary of Health and Human Services to temporarily waive certain vehicle safety regulations relating to the Head Start program and to postpone the effective date of section 1310.12(a) of the Code of Federal Regulations under certain conditions. **Page 24098**

Specter (for Nelson (NE)) Amendment No. 2272, to express the sense of the Senate that the Secretary of the Treasury should ensure that existing Federal employment preferences for disabled veterans and Federal policies promoting opportunities for other disabled persons are carried forward as a part of any tax collection contract program. **Page 24098**

Rejected:

By 41 yeas to 56 nays (Vote No. 280), Ensign Amendment No. 2300, to prohibit funding for the support, development, or distribution of the Department of Education's e-Language Learning System (ELLS). **Pages 24059, 24094**

Withdrawn:

Dayton Amendment No. 2245, to fully fund the Federal Government's share of the costs under part B of the Individuals with Disabilities Education Act. **Page 24059**

Harkin Amendment No. 2322, to prohibit payments for administrative expenses under the Medicaid program if more than 15 percent of applications for medical assistance, eligibility redeterminations, and change reports are processed by individuals who are not State employees meeting certain personnel standards. **Pages 24059, 24096**

Murray Amendment No. 2285, to insert provisions related to an investigation by the Inspector General. **Pages 24059, 24096**

Cornyn Amendment No. 2277, to increase the amount of appropriated funds available for Community-Based Job Training Grants. **Pages 24059, 24096**

Coburn Amendment No. 2233, to prohibit the use of funds for HIV Vaccine Awareness Day activities. **Pages 24059, 24096**

During consideration of this measure today, the Senate also took the following action:

By a unanimous vote of 97 yeas (Vote No. 275), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the bill. **Page 24063**

By 46 yeas to 50 nays (Vote No. 278), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Bingaman (for Smith/Bingaman) Amendment No. 2259, to provide funding for the AIDS Drug Assistance Program within the Health Resources and Services Administration. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell. **Pages 24059, 24083, 24090**

By 41 yeas to 56 nays (Vote No. 279), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302(f) of the Congressional Budget Act of 1974, with respect to Durbin (for Boxer) Modified Amendment No. 2287, to increase appropriations for after-school programs through 21st century community learning centers. Subsequently, the point of order that the amendment would provide spending in excess of the subcommittee's 302(b) allocation was sustained, and the amendment thus fell. **Pages 24059, 24095**

Chair sustained the point of order that the following amendments be ruled non-germane and the amendments thus fell:

Murray Amendment No. 2220, to provide stop gap coverage for low-income Seniors and disabled individuals who may lose benefits or suffer a gap in coverage due to the implementation of the Medicare part D prescription drug benefit. **Pages 24059, 24064**

Santorum Amendment No. 2241, to establish a Congressional Commission on Expanding Social Service Delivery Options. **Pages 24059, 24064**

Santorum Amendment No. 2237, to provide grants to promote healthy marriages. **Pages 24059, 24064**

Landrieu Amendment No. 2249, to require that any additional community health center funding be directed, in part, to centers in areas affected by Hurricane Katrina or Hurricane Rita. **Pages 24059, 24064**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Specter, Cochran, Gregg, Craig, Hutchison, Stevens, DeWine, Shelby, Domenici, Harkin, Inouye, Reid, Kohl, Murray, Landrieu, Durbin, and Byrd. **Page 24106**

Honoring Rosa Parks: Senate agreed to S. Con. Res. 61, authorizing the remains of Rosa Parks to lie in honor in the rotunda of the Capitol. **Page 24135**

Honoring "Shoeless Joe" Jackson: Senate agreed to S. Res. 289, expressing the sense of the Senate that Joseph

Jefferson "Shoeless Joe" Jackson should be appropriately honored for his outstanding baseball accomplishments. **Page 24135**

Honoring Former Congressman Edward Roybal: Senate agreed to S. Res. 290, honoring the life and expressing the deepest condolences of Congress on the passing of Edward Roybal, former United States Congressman. **Page 24136**

Congratulations Chicago White Sox: Senate agreed to S. Res. 291, to congratulate the Chicago White Sox on winning the 2005 World Series Championship. **Page 24137**

Condemning Anti-Israel Sentiments: Senate agreed to S. Res. 292, calling on the President to condemn the anti-Israel sentiments expressed by the President of Iran, Mahmoud Ahmadinejad, on October 26, 2005. **Page 24138**

Coast Guard Authorization: Committee on Commerce, Science, and Transportation was discharged from further consideration of H.R. 889, to authorize appropriations for the Coast Guard for fiscal year 2006, to make technical corrections to various laws administered by the Coast Guard, and the bill was then passed, after striking all after the enacting clause and inserting in lieu thereof, the text of S. 1280, Senate companion measure, after agreeing to the committee amendments, and the following amendments proposed thereto: **Page 24139**

McConnell (for Snowe) Amendment No. 2343, to make certain modifications to the bill. **Page 24144**

McConnell (for Inouye) Amendment No. 2344, to authorize appropriations for fiscal years 2006 and 2007 for the United States Coast Guard. **Page 24145**

Subsequently, S. 1280 was returned to the Senate calendar. **Page 24145**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Stevens, Snowe, Lott, Smith, Inouye, Cantwell, and Lautenberg. **Page 24145**

Budget Reconciliation—Agreement: A unanimous-consent agreement was reached providing that at 4 p.m. on Monday, October 31, 2005, Senate begin consideration of S. 1932, to provide for reconciliation pursuant to section 202(a) of the concurrent resolution on the budget for fiscal year 2006 (H. Con. Res. 95); that it be considered under a time agreement; provided further, the Senate then resume consideration of the bill on Tuesday, November 1, 2005, at 9 a.m., under a time agreement; that any votes ordered on Tuesday be postponed to occur at a time determined by the Majority Leader after consultation with the Democratic Leader; Senate then resume consideration of the bill on Wednesday, November 2, 2005 with the time from 8:30 a.m. to 6 p.m. equally divided between the Chairman and Ranking Member; provided further, that at 6 p.m. on Wednesday, all time be considered expired. **Page 24146**

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following treaties:

Tax Convention with Bangladesh (Treaty Doc. No. 109–5); and

U.N. Convention Against Corruption (Treaty Doc. No. 109–6).

The treaties were transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed. **Page 24134**

Nominations Confirmed: Senate confirmed the following nominations:

By unanimous vote of 97 yeas (Vote No. 276), John Richard Smoak, of Florida, to be United States District Judge for the Northern District of Florida. **Pages 24083, 24146**

By unanimous vote of 97 yeas (Vote No. 277), Susan Bieke Neilson, of Michigan, to be United States Circuit Judge for the Sixth Circuit. **Pages 24084, 24146**

Nominations Received: Senate received the following nomination:

1 Army nomination in the rank of general. **Page 24146**

Messages From the House: **Page 24112**

Executive Communications: **Page 24112**

Executive Reports of Committees: **Page 24114**

Additional Cosponsors: **Page 24115**

Statements on Introduced Bills/Resolutions: **Page 24117**

Additional Statements: **Page 24111**

Amendments Submitted: **Page 24127**

Notices of Hearings/Meetings: **Page 24131**

Authorities for Committees to Meet: **Page 24131**

Privileges of the Floor: **Page 24132**

Record Votes: Seven record votes were taken today. (Total–281) **Pages 24063, 24084, 24092, 24096, 24105**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 7:20 p.m., until 10 a.m., on Friday, October 28, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 24146.)

Committee Meetings

FOREST AND RANGELAND RESEARCH PROGRAM

Committee on Agriculture, Nutrition, and Forestry: Subcommittee on Forestry, Conservation, and Rural Revitalization concluded an oversight hearing to examine the Forest and Rangeland Research Program of the USDA

Forest Service, after receiving testimony from Ann Bartuska, Deputy Chief, Research and Development, Forest Service, Department of Agriculture; Steven Daley-Laursen, University of Idaho College of Natural Resources, Moscow; David Canavera, MeadWestvaco Corporation, Summerville, South Carolina, on behalf of the American Forest and Paper Association; Bob Schowalter, State Forester of South Carolina, Columbia, on behalf of the National Association of States Foresters; Robert A. Daniels, Mississippi State University, Mississippi State, Mississippi, on behalf of the Society of American Foresters; and Scott Simon, The Nature Conservancy, Little Rock, Arkansas.

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported the following business items:

S. 1803, to authorize appropriations for fiscal year 2006 for intelligence and intelligence-related activities of the United States Government, the Intelligence Community Management Account, and the Central Intelligence Agency Retirement and Disability System, with amendments; and

The nominations of Michael W. Wynne, of Florida, to be Secretary of the Air Force, Donald C. Winter, of Virginia, to be Secretary of the Navy, John G. Grimes, of Virginia, to be Assistant Secretary of Defense for Networks and Information Integration, William Anderson, of Connecticut, to be Assistant Secretary of the Air Force for Installations and Environment, John J. Young, Jr., of Virginia, to be Director of Defense Research and Engineering, Delores M. Etter, of Maryland, to be Assistant Secretary of the Navy for Research, Development, and Acquisition, A. J. Eggenberger, of Montana, to be a Member of the Defense Nuclear Facilities Safety Board, General Burwell B. Bell III, U.S. Army, for reappointment as a general and assignment as Commander, United Nations Command, Combined Forces Command, and U.S. Forces Korea; and Lieutenant General Lance L. Smith, U.S. Air Force, for appointment as general and assignment as Commander, U.S. Joint Forces Command, and Supreme Allied Commander for Transformation, and 785 nominations in the Army, Navy, Air Force, and Marine Corps.

HURRICANE RESPONSE

Committee on Energy and Natural Resources: Committee concluded a hearing to examine Administration's response to hurricane recovery efforts related to energy and to discuss energy policy, after receiving testimony from Gale A. Norton, Secretary of the Interior; and Samuel W. Bodman, Secretary of Energy.

WORLD TRADE ORGANIZATION

Committee on Finance: Subcommittee on International Trade held a hearing to examine the status and direction of the Doha Round of World Trade Organization negotiations, receiving testimony from Peter Allgeier, Deputy U.S. Trade Representative; Jim Jarrett, Intel Corporation, Santa Monica, California, on behalf of the National Association of Manufacturers; Craig Lang, Iowa Farm Bureau, West Des Moines, on behalf of the American Farm Bureau Federation; Jeffrey R. Shafer, Citigroup, New York, New York, on behalf of the Coalition of Service Industries; and Edward Gresser, Progressive Policy Institute, Washington, D.C.

Hearing recessed subject to the call.

BUSINESS MEETING

Committee on Indian Affairs: Committee ordered favorably reported the following bills:

S. 1057, to amend the Indian Health Care Improvement Act to revise and extend that Act, with an amendment in the nature of a substitute;

S. 1003, to amend the Act of December 22, 1974;

S. 1892, to amend Public Law 107–153 to modify a certain date; and

S. 1219, to authorize certain tribes in the State of Montana to enter into a lease or other temporary conveyance of water rights to meet the water needs of the Dry Prairie Rural Water Association, Inc.

BUSINESS MEETING

Committee on the Judiciary: Committee resumed markup of S. 1789, to prevent and mitigate identity theft, to ensure privacy, to provide notice of security breaches, and to enhance criminal penalties, law enforcement assistance, and other protections against security breaches, fraudulent access, and misuse of personally identifiable information, but did not complete action thereon, and recessed subject to call.

VA'S UNEMPLOYABILITY BENEFIT

Committee on Veterans' Affairs: Committee concluded a hearing to examine the rising number of disabled veterans deemed unemployable relating to the VA's individual unemployment benefit, focusing on individual unemployability, its history, the criteria used to determine eligibility, and the number of veterans receiving individual unemployability benefits, after receiving testimony from Daniel L. Cooper, Under Secretary for Benefits, and Judith Caden, Director, Vocational Rehabilitation and Employment Service Director, both of the Department of Veterans Affairs; Cynthia Bascetta, Director, Education, Workforce, and Income Security Issues, Government Accountability Office; and Rick Surratt, Disabled American Veterans, Washington, D.C.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 17 public bills, H.R. 4155–4171; and 9 resolutions, H. Con. Res. 280–285; and H. Res. 519, 521–522 were introduced. **Page 24055**

Additional Cosponsors: **Page 24057**

Reports Filed: Reports were filed today as follows:

H.R. 4061, to amend title 38, United States Code, to improve the management of information technology within the Department of Veterans Affairs by providing for the Chief Information Officer of that Department to have authority over resources, budget, and personnel related to the support function of information technology (H. Rept. 109–256); and

H. Res. 520, waiving points of order against the conference report to accompany the bill (H.R. 2744) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006 (H. Rept. 109–257). **Page 24055**

Disapproving the recommendations of the Defense Base Closure and Realignment Commission: The House disagreed to H.J. Res. 65, to disapprove the recommendations of the Defense Base Closure and Realignment Commission, by a recorded vote of 85 ayes to 324 noes with 1 voting "present", Roll No. 548. **Page 23979**

Suspensions: The House agreed to suspend the rules and pass the following measures which were debated on Wednesday, October 26th:

Hurricane Katrina Financial Services Relief Act of 2005: H.R. 3945, amended, to facilitate recovery from the effects of Hurricane Katrina by providing greater flexibility for, and temporary waivers of certain requirements and fees imposed on, depository institutions and Federal regulatory agencies, by a yea-and-nay vote of 411 yeas with none voting "nay", Roll No. 549; **Page 24001**

Agreed to amend the title so as to read: "A Bill to facilitate recovery from the effects of Hurricane Katrina by providing greater flexibility for, and temporary waivers of certain requirements and fees imposed on, depository institutions, credit unions, and Federal regulatory agencies, and for other purposes"; and **Page 24002**

Congratulating the State of Israel on the election of Ambassador Dan Gillerman as Vice-President of the 60th United Nations General Assembly: H. Res. 368, to congratulate the State of Israel on the election of Ambassador Dan Gillerman as Vice-President of the 60th United Nations General Assembly, by a yea-and-nay vote of 407 yeas with none voting "nay", Roll No. 550. **Page 24002**

Department of State, Foreign Operations, and Related Programs Appropriations Act, 2006—Motion to go to Conference: The House disagreed to the Senate amendment and agreed to a conference on H.R. 3057, an act making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2006. **Pages 24003, 24023**

The House agreed to the Lowey motion to instruct conferees by a yea-and-nay vote of 259 yeas to 147 nays, Roll No. 554. **Page 24023**

Later, the Chair appointed conferees: Representatives Messrs. Kolbe, Knollenberg, Kirk, Crenshaw, Sherwood, Sweeney, Rehberg, Carter, Lewis of California, Mrs. Lowey, Mr. Jackson of Illinois, Ms. Kilpatrick of Michigan, Messrs. Rothman, Fattah, and Obey. **Page 24024**

Lawsuit Abuse Reduction Act of 2005: The House passed H.R. 420, to amend Rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability, by a recorded vote of 228 ayes to 184 noes, Roll No. 553. **Page 24005**

Rejected the Barrow motion to recommit the bill to the Committee on the Judiciary with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 196 ayes to 217 noes, Roll No. 552. **Page 24021**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. **Page 23973**

Agreed to:

Smith of Texas Manager's amendment (no. 1 printed in H. Rept. 109–253) which includes provisions imposing sanctions for the destruction of relevant documents in a pending Federal court proceeding; provisions for setting standards for a court's determination that certain court records should be sealed; and provisions providing for a presumption of a Rule 11 violation when the same issue is repeatedly relitigated. It also includes a clarification that makes clear that, in the anti-forum shopping provisions, if there is no State court in the county in which the injury occurred, the case can be brought in the nearest county where a court of general jurisdiction is located. The manager's amendment also makes clear that it does not affect personal injury claims that Federal bankruptcy law requires be heard in a Federal bankruptcy court. **Page 24013**

Rejected:

Schiff amendment in the nature of a substitute (no. 2 printed in H. Rept. 109–253) which sought to provide strong "three strikes and you're out" mandatory sanctions for attorneys who file frivolous lawsuits or engage in frivolous conduct during discovery. It enhances sanctions for document destruction, ensures that corporations can be sued in the U.S., cracks down on parties attempting to relitigate the same issue on consecutive occasions, bans the concealment of unlawful conduct, and protects civil rights claims (by a recorded vote of 184 ayes to 226 noes, Roll No. 551). **Page 24014**

H. Res. 508, the rule providing for consideration of the bill was agreed to by voice vote, after agreeing to order the previous question. **Page 23972**

Special Postage Stamp for Breast Cancer Research: The House agreed by unanimous consent to S. 37, to extend the special postage stamp for breast cancer research for 2 years—clearing the measure for the President. **Page 24024**

Senate Message: Messages received from the Senate today appear on pages 23983 and 24023.

Senate Referrals: S. 939 was referred to the Committee on Transportation and Infrastructure and S. 1285 was held at the desk. **Page 24053**

Quorum Calls—Votes: Three yea-and-nay votes, and four recorded votes developed during the proceedings of today and appear on pages 24001–03, 24020, and 24022–24. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 8:43 p.m.

Committee Meetings

CYBER SECURITY

Committee on Armed Services: Asymmetric and Unconventional Threats Panel held a hearing on Cyber Security, Information Assurance and Information Superiority. Testimony was heard from public witnesses.

BUDGET RECONCILIATION

Committee on Education and the Workforce: Began markup of amendments to the Family Education Reimbursement Act of 2005 for transmission to the Committee on the Budget to comply with the reconciliation directive included in section 201(a) of the Concurrent Resolution on the Budget for Fiscal Year.

Will continue tomorrow.

BUDGET RECONCILIATION

Committee on Energy and Commerce: Approved, as amended, reconciliation recommendations for Title II, Medicaid, Katrina Health Care Relief, and Katrina and Rita Energy Relief, for transmission to the Committee on the Budget in compliance with the reconciliation directive included in section 201(a) of the Concurrent Resolution on the Budget for Fiscal Year 2006.

MISCELLANEOUS MEASURES; BUDGET RECONCILIATION

Committee on Financial Services: Ordered reported the following bills: H.R. 3909, amended, Hurricane Check Cashing Relief Act of 2005; H.R. 4133, National Flood Insurance Program Further Enhanced Borrowing Authority Act of 2005; and H.R. 4146, Hurricane Rita and Wilma Financial Services Relief Act of 2005.

The Committee also approved for transmission to the Committee on the Budget in compliance with the reconciliation directive in section 201(a) of the Concurrent Resolution on the Budget for Fiscal Year 2006 the following recommendations: Deposit Insurance Reform; and, as amended, FHA Asset Disposition.

DHS—SECOND-STATE REVIEW: ROLE OF THE CHIEF MEDICAL OFFICER

Committee on Homeland Security: Subcommittee on Management, Integration, and Oversight held a hearing entitled "The Department of Homeland Security Second-State Review: The Role of the Chief Medical Officer." Testimony was heard from Jeffrey W. Runge, M.D., Chief Medical Officer, Department of Homeland Security; and public witnesses.

NUCLEAR INCIDENT RESPONSE TEAMS

Committee on Homeland Security: Subcommittee on Prevention of Nuclear and Biological Attack held a hearing entitled "Nuclear Incident Response Teams." Testimony was heard from Joseph Krol, Associate Administrator, Department of Energy; and John Lewis, Deputy Assistant Director, FBI, Department of Justice.

NORTH KOREAN HUMAN RIGHTS ACT

Committee on International Relations: Subcommittee on Africa, Global Human Rights and International Operations and the Subcommittee on Asia and the Pacific held a joint hearing on Lifting the Veil: Getting the Refugees Out, Getting Our Message In: An Update on the Implementation of the North Korean Human Rights Act. Testimony was heard from public witnesses.

U.S. COUNTERTERRORISM STRATEGY UPDATE

Committee on International Relations: Subcommittee on International Terrorism and Nonproliferation held a hearing on the U.S. Counterterrorism Strategy Update. Testimony was heard from Henry A. Crumpton, Coordinator for Counterterrorism, Department of State.

U.S. SECURITY POLICY—CENTRAL ASIA

Committee on International Relations: Subcommittee on the Middle East and Central Asia held a hearing on U.S. Security Policy in Central Asia. Testimony was heard from Representative Smith of New Jersey; and Daniel Fried, Assistant Secretary, Bureau of European and Eurasian Affairs, Department of State.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Ordered reported, as amended, the following bills: H.R. 1751, Secure Access to Justice and Court Protection Act of 2005; H.R. 4128, Private Property Rights Protection Act of 2005; and H.R. 4093, Federal Judgeship and Administrative Efficiency Act of 2005.

STRENGTHENING THE OWNERSHIP OF PRIVATE PROPERTY ACT OF 2005

Committee on Resources: Held a hearing on H.R. 3405, Strengthening the Ownership of Private Property Act of 2005. Testimony was heard from Representatives Bonilla and Otter; and public witnesses.

OVERSIGHT—FISHERY CONSERVATION

Committee on Resources: Held an oversight hearing on the Operations of the Regional Fishery Management Councils and the Reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Forests and Forest Health held a hearing on the following bills: H.R. 1090, to designate a Forest Service trail at Waldo Lake in the Willamette National Forest in the State of Oregon as a national recreation trail in honor of Jim Weaver, a former Member of the House of Representatives; H.R. 3603, Central Idaho Economic Development and Recreation Act; H.R. 3817, Valle Vidal Protection Act of 2005; and H.R. 4084, to amend the Forest Service use and occupancy permit program to restore the authority of the Secretary of Agriculture to utilize the special use permit fees collected by the Secretary in connection with the establishment and operation of marinas in units of the National Forest System derived from the public domain. Testimony was heard from Representative Herger; Joel Holtrop, Deputy Chief, National Forest System, Forest Service, USDA; Ed Shepard, Assistant Director, Renewable Resources and Planning, Department of the Interior; and public witnesses.

CONFERENCE REPORT—AGRICULTURAL APPROPRIATIONS

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 2744, Agriculture, Rural Development, Food and Drug Administration, and Related Appropriations Act, 2006, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Representative Bonilla.

NASA—FINANCIAL MANAGEMENT

Committee on Science: Subcommittee on Space and the Sub committee on Government Management, Finance, and Accountability of the Committee on Government Reform held a joint hearing on Financial Management at NASA: Challenges and Next Steps. Testimony was heard from the following officials of NASA: Gwendolyn Sykes, Chief Financial Officer; Robert Cobb, Inspector General; and Patrick Ciganer, Program Executive Officer, Integrated Enterprise Management; and Gregory Kutz, Managing Director, Forensic Audit and Special Investigations, GAO.

OVERSIGHT—GULF COAST REBUILDING

Committee on Transportation and Infrastructure: Subcommittee on Highways, Transit and Pipelines held an oversight hearing on Rebuilding Highway and Transit Infrastructure on the Gulf Coast following Hurricane Katrina—State and Local Officials. Testimony was heard from the following officials of the State of Louisiana: Johnny B. Bradley, Secretary, Department of Transportation and Development; and William Deville, General Manager, Regional Transit Authority, New Orleans; the following officials of the Department of Transportation, State of Mississippi: Dick Hall, Central District Commissioner; and Wayne H. Brown, Southern District Commissioner; and Don Vaughn, Chief Engineer, Department of Transportation, State of Alabama.

OVERSIGHT—HURRICANE AND FLOOD RISK REDUCTION

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment held an oversight hearing on Reducing Hurricane and Flood Risk in the Nation. Testimony was heard from public witnesses.

BRIEFING—NYC TERRORISM THREAT REPORTING

Permanent Select Committee on Intelligence: Subcommittee on Terrorism, Human Intelligence, and Counterintelligence met in executive session to receive a briefing on New York City Terrorism Threat Reporting. The Subcommittee was briefed by departmental witnesses.

HURRICANE KATRINA

Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina: Held a hearing entitled "Hurricane Katrina: Preparedness and Response by the Department of Defense, the Coast Guard, and the National Guard of Louisiana, Mississippi, and Alabama." Testimony was heard from the following officials of the Department of Defense: Paul McHale, Assistant Secretary, Homeland Defense; ADM Timothy J. Keating, USN, Commander, North American Aerospace Defense Command and U.S. Northern Command; LTG H. Steven Blum, USA, Chief, National Guard Bureau; MG Bennett C. Landreneau, USA, The Adjutant General, State of Louisiana; MG Harold A. Cross, USA, The Adjutant General, State of Mississippi; and MG C. Mark Bowen, USA, The Adjutant General, State of Alabama; and RADM R. Dennis Sirois, USCG, Assistant Commandant for Operations, U.S. Coast Guard, Department of Homeland Security.

Friday, October 28, 2005

Senate

Chamber Action

Routine Proceedings, pages 24173–92

Measures Introduced: Two bills were introduced, as follows: S. 1938–1939. **Page 24189**

Nominations Confirmed: Senate confirmed the following nominations:

William Anderson, of Connecticut, to be an Assistant Secretary of the Air Force.

John G. Grimes, of Virginia, to be an Assistant Secretary of Defense.

Jennifer L. Dorn, of Nebraska, to be United States Alternate Executive Director of the International Bank for Reconstruction and Development for a term of two years.

John J. Young, Jr., of Virginia, to be Director of Defense Research and Engineering.

Franklin L. Lavin, of Ohio, to be Under Secretary of Commerce for International Trade.

Michael W. Wynne, of Florida, to be Secretary of the Air Force.

Delores M. Etter, of Maryland, to be an Assistant Secretary of the Navy.

Clay Lowery, of Virginia, to be a Deputy Under Secretary of the Treasury.

David B. Dunn, of California, to be Ambassador to the Togolese Republic.

James S. Halpern, of the District of Columbia, to be a Judge of the United States Tax Court for a term of fifteen years.

Carmen Maria Martinez, of Florida, to be Ambassador to the Republic of Zambia.

Michael R. Arietti, of Connecticut, to be Ambassador to the Republic of Rwanda.

Karan K. Bhatia, of Maryland, to be Deputy United States Trade Representative, with the Rank of Ambassador.

Benson K. Whitney, of Minnesota, to be Ambassador to Norway.

David M. Hale, of New Jersey, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador to the Hashemite Kingdom of Jordan.

Susan C. Schwab, of Maryland, to be a Deputy United States Trade Representative, with the rank of Ambassador.

Nicholas F. Taubman, of Virginia, to be Ambassador to Romania.

Susan Rasinski McCaw, of Washington, to be Ambassador to the Republic of Austria.

22 Air Force nominations in the rank of general.

38 Army nominations in the rank of general.

1 Navy nomination in the rank of admiral.

Routine lists in the Air Force, Army, Foreign Service, Marine Corps, Navy. **Page 24191**

Nominations Received: Senate received the following nominations:

Patricia Newton Moller, of Arkansas, to be Ambassador to the Republic of Burundi.

Carol van Voorst, of Virginia, to be Ambassador to the Republic of Iceland.

Ross Wilson, of Maryland, to be Ambassador to the Republic of Turkey. **Page 24191**

Nominations Withdrawn: Senate received notification of withdrawal of the following nomination:

Harriet Ellan Miers, of Texas, to be an Associate Justice of the Supreme Court of the United States, which was sent to the Senate on October 7, 2005. **Page 24192**

Messages From the House: **Page 24189**

Measures Referred: **Page 24189**

Enrolled Bills Presented: **Page 24189**

Executive Reports of Committees: **Page 24189**

Additional Cosponsors: **Page 24189**

Statements on Introduced Bills/Resolutions: **Page 24189**

Additional Statements: **Page 24188**

Adjournment: Senate convened at 10 a.m., and adjourned at 12:54 p.m., until 2 p.m., on Monday, October 31, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 24190.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 10 public bills, H.R. 4172–4181; and 5 resolutions, H. Con. Res. 286–287; and H. Res. 523–525 were introduced. **Page 24255**

Additional Cosponsors: **Page 24256**

Reports Filed: Reports were filed today as follows:

H. Res. 467, requesting that the President transmit to the House of Representatives information in his possession relating to contracts for services or construction related to Hurricane Katrina recovery that relate to wages and benefits to be paid to workers, adversely (H. Rept. 109–258);

H. Res. 463, of inquiry directing the Secretary of Homeland Security to provide certain information to the

House of Representatives relating to the reapportionment of airport screeners, adversely (H. Rept. 109–259); and

H.R. 1973, to make access to safe water and sanitation for developing countries a specific policy objective of the United States foreign assistance programs, with an amendment (H. Rept. 109–260). **Page 24255**

Condemning Iranian President Mahmoud Ahmadinejad's threats against Israel: The House agreed to H. Res. 523, to condemn Iranian President Mahmoud Ahmadinejad's threats against Israel, by a yea-and-nay vote of 383 yeas with none voting "nay" and 1 voting "present", Roll No. 556. **Pages 24201, 24224**

Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2006—Conference Report: The House agreed to the conference report on H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, by a yea-and-nay vote of 318 yeas to 63 nays, Roll No. 555. **Page 24209**

H. Res. 520, the rule providing for consideration of the conference report, was agreed to by voice vote, after agreeing to the previous question. **Page 24195**

Authorizing the remains of Rosa Parks to lie in honor in the rotunda of the Capitol: Agreed to discharge from the Committee on House Administration and agree to S. Con. Res. 61, to authorize the remains of Rosa Parks to lie in honor in the rotunda of the Capitol. **Page 24227**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, November 2nd. **Page 24237**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 3 p.m. on Monday, October 31st, and when the House adjourns on Monday, it adjourn to meet at 12:30 p.m. on Tuesday, November 1st, for Morning Hour Debate. **Page 24237**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Thornberry to act as Speaker pro tempore to sign enrolled bills and joint resolutions through November 1, 2005. **Page 24242**

Senate Message: Messages received from the Senate today appear on pages 24194 and 24237.

Senate Referrals: S. Con. Res. 61 was referred to the Committee on House Administration. **Page 24227**

Quorum Calls Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages 24223–24. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 4:30 p.m.

Committee Meetings

BUDGET RECONCILIATION

Committee on Agriculture: Approved reconciliation recommendations for Title I, Agriculture, for transmission to the Committee on the Budget in compliance with the reconciliation directive included in section 201(a) of the Concurrent Resolution on the Budget for Fiscal Year 2006.

DC JUVENILE JUSTICE SYSTEM EXAMINATION

Committee on Government Operations: Held a hearing entitled "Justice for All: An Examination of the District of Columbia Juvenile Justice System." Testimony was heard from Representatives Cardin and Hoyer; and the following officials of the District of Columbia: Lee F. Satterfield, Presiding Judge, Family Court; Eugene Hamilton, Senior Judge, Superior Court; Charles H. Ramsey, Chief of Police, Metropolitan Police Department; and Vincent Schiraldi, Director, Youth Rehabilitation Services.

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Monday, October 31, 2005

Senate

Chamber Action

Routine Proceedings, pages 24281–24301

Measures Introduced: Two bills were introduced, as follows: S. 1940–1941. **Page 24299**

Measures Passed:

Recognizing Fish and Wildlife Service and Waterfowl Population Survey: Senate agreed to S. Res. 255, recognizing the achievements of the United States Fish and Wildlife Service and the Waterfowl Population Survey. **Page 24287**

Budget Reconciliation: Senate began consideration of S. 1932, to provide for reconciliation pursuant to section 202 (a) of the concurrent resolution on the budget for fiscal year 2006 (H. Con. Res. 95).

Pursuant to the order of Thursday, October 27, 2005, Senate will continue consideration of the bill at 9 a.m., on Tuesday, November 1, 2005. **Page 24287**

Messages From the House: **Page 24298**

Measures Referred: **Page 24298**

Enrolled Bills Presented: **Page 24298**

Executive Communications: **Page 24298**

Additional Cosponsors: **Page 24299**

Statements on Introduced Bills/Resolutions: **Page 24299**

Additional Statements: Page 24297

Amendments Submitted: Page 24300

Notices of Hearings/Meetings: Page 24300

Authorities for Committees to Meet: Page 24300

Privileges of the Floor: Page 24300

Adjournment: Senate convened at 2 p.m., and adjourned at 4:58 p.m., until 9 a.m., on Tuesday, November 1, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 24300.)

Committee Meetings

UN OIL-FOR-FOOD PROGRAM

Committee on Homeland Security and Governmental Affairs: Permanent Subcommittee on Investigations concluded hearings to examine corruption in the United Nations Oil-for-Food program, focusing on recent reports relative to illegal payments to individuals, investigations of the United Nations Office of Internal Oversight Services and the United Nations Procurement System, Bayoil oil diversions, and progress toward implementing United Nations management reforms, including the oversight by the U.S. Office of Foreign Assets Control to stop misconduct by U.S. persons doing business under the Oil-for-Food program, after receiving testimony from former Representative Newt Gingrich; Thomas Melito, Director, International Affairs and Trade, Government Accountability Office; Robert W. Werner, Director, Office of Foreign Assets Control, Department of the Treasury; and Paul A. Volcker, Independent Inquiry Committee into the United Nations Oil-for-Food Programme, New York, New York.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 1 public bill, H.R. 4182, was introduced. Page 24279

Additional Cosponsors: Page 24280

Reports Filed: Reports were filed today as follows:

H.R. 3405, to prohibit the provision of Federal economic development assistance for any State or locality that uses the power of eminent domain power to obtain property for private commercial development or that fails to pay relocation costs to persons displaced by use of the power of eminent domain for economic development purposes, with an amendment (H. Rept. 109–261, Pt. 1); and H.R. 4128, to protect private property rights, with an amendment (H. Rept. 109–262). Page 24279

Speaker: Read a letter from the Speaker wherein he appointed Representative Thornberry to act as Speaker pro tempore for today. Page 24273

Quorum Calls—Votes: There were no Yea and Nay votes, and there were no Recorded votes. There were no quorum calls.

Adjournment: The House met at 3 p.m. and adjourned at 3:03 p.m.

Committee Meetings

No committee meetings were held.

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Tuesday, November 1, 2005

Senate

Chamber Action

Routine Proceedings, pages 24305–77

Measures Introduced: Nine bills were introduced, as follows: S. 1942–1950. Page 24355

Measures Passed:

Rosa Parks Federal Building: Senate passed H.R. 2967, to designate the Federal building located at 333 Mt. Elliott Street in Detroit, Michigan, as the "Rosa Parks Federal Building", clearing the measure for the President. Page 24325

Festival of China: Committee on Foreign Relations was discharged from further consideration of S. Con. Res. 56, expressing appreciation for the contribution of Chinese art and culture and recognizing the Festival of China at the Kennedy Center, and the resolution was then agreed to. Page 24374

Budget Reconciliation: Senate continued consideration of S. 1932, to provide for reconciliation pursuant to section 202(a) of the concurrent resolution on the budget for fiscal year 2006 (H. Con. Res. 95), taking action on the following amendments proposed thereto:

Pages 24305, 24326, 24373

Pending:

Gregg (for Frist/Gregg) Amendment No. 2347, to provide amounts to address influenza and newly emerging pandemics. Page 24313

Conrad Amendment No. 2351, to fully reinstate the pay-as-you-go requirement through 2010. Page 24321

Enzi Modified Amendment No. 2352, to provide elementary and secondary education assistance to students and schools impacted by Hurricane Katrina and to lower origination fees. Pages 24324, 24373

Lincoln Amendment No. 2356, to provide emergency health care and other relief for survivors of Hurricane Katrina. Page 24333

Inhofe/Chambliss Amendment No. 2355, to cap non-defense, non-trust-fund, discretionary spending at the previous fiscal year's level, beginning with fiscal year 2007. **Page 24341**

Nelson (FL) Amendment No. 2357, to hold Medicare beneficiaries harmless for the increase in the 2007 Medicare monthly part B premium that would otherwise occur because of the 2006 increase in payments under the physician fee schedule. **Page 24348**

Pursuant to the order of Thursday, October 27, 2005, Senate will continue consideration of the bill at 8:30 a.m., on Wednesday, November 2, 2005. **Page 24374**

Agriculture Appropriations Conference Report—Agreement: A unanimous-consent agreement was reached providing that at a time determined by the Majority Leader in consultation with the Democratic Leader, Senate begin consideration of the conference report to accompany H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006; that there be two hours of debate divided equally between the majority and minority, and that upon the use, or yielding back of time, Senate vote on adoption of the conference report. **Page 24374**

Closed Session: During today's proceedings, a motion was made, in accordance with Rule XXI of the Standing Rules of the Senate, for the Senate to go into a closed session. **Page 24328**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report relative to the continuation of the national emergency with respect to Sudan; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–29) **Page 24354**

Nominations Received: Senate received the following nominations:

Ben S. Bernanke, of New Jersey, to be a Member of the Board of Governors of the Federal Reserve System for a term of fourteen years from February 1, 2006.

Ben S. Bernanke, of New Jersey, to be Chairman of the Board of Governors of the Federal Reserve System for a term of four years.

Steven Alan Browning, of Texas, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador to the Republic Uganda.

Jeanine E. Jackson, of Wyoming, to be Ambassador to Burkina Faso.

1 Coast Guard nomination in the rank of admiral. **Page 24377**

Nominations Withdrawn: Senate received notification of withdrawal of the following nominations:

Roger Francisco Noriega, of Kansas, to be a Member of the Board of Directors of the Inter-American Foundation for a term expiring September 20, 2006, which was sent to the Senate on January 4, 2005.

Roger Francisco Noriega, of Kansas, to be a Member of the Board of Directors of the Inter-American Foundation for a term expiring September 20, 2006, which was sent to the Senate on February 14, 2005. **Page 24377**

Messages From the House: **Page 24354**

Executive Communications: **Page 24354**

Additional Cosponsors: **Page 24355**

Statements on Introduced Bills/Resolutions: **Page 24356**

Additional Statements: **Page 24353**

Amendments Submitted: **Page 24360**

Notices of Hearings/Meetings: **Page 24372**

Authorities for Committees to Meet: **Page 24372**

Privileges of the Floor: **Page 24372**

Adjournment: Senate convened at 9 a.m., and adjourned at 8:23 p.m., until 8:30 a.m., on Wednesday, November 2, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 24374.)

Committee Meetings

IMPROVISED EXPLOSIVE DEVICES

Committee on Armed Services: Committee met in closed session to receive a briefing on the progress of the Joint Improvised Explosive Devices (IED) Task Force from Brigadier General Joseph L. Votel, USA, Director, Joint IED Task Force.

NOMINATIONS:

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the nominations of Shana L. Dale, of Georgia, to be Deputy Administrator of the National Aeronautics and Space Administration, and Mark V. Rosenker, of Maryland, who was introduced by Senator Allen, and Kathryn Higgins, of South Dakota, who was introduced by Senator Sarbanes and Representative Levin, each to be a Member of the National Transportation Safety Board, after the nominees testified and answered questions in their own behalf.

NATIONAL PARK SERVICE MANAGEMENT POLICIES

Committee on Energy and Natural Resources: Subcommittee on National Parks concluded an oversight hearing to examine the National Park Service's Draft Management Policies, including potential impact of the policies on park operations, park resources, interaction with gateway communities, and solicitation and collection of donations, after receiving testimony from Stephen P. Martin, Deputy Director, National Park Service, and William P. Horn, former Assistant Secretary for Fish and Wildlife and

Parks, both of the Department of the Interior; Denis P. Galvin, McLean, Virginia, on behalf of the National Parks Conservation Association; and Don H. Castleberry, Little Rock Arkansas, on behalf of the Coalition of National Park Service Retirees.

NOMINATIONS:

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Eric Nicholas Vitaliano and Joseph Frank Bianco, each to be a United States District Judge for the Eastern District of New York, who were introduced by Senators Schumer and Clinton, Gregory F. Van Tatenhove, to be United States District Judge for the Eastern District of Kentucky, who was introduced by Senator Bunning, and Timothy Mark Burgess, to be United States District Judge for the District of Alaska, who was introduced by Senators Stevens and Murkowski, after the nominees testified and answered questions in their own behalf.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 13 public bills, H.R. 4183–4195; and 1 resolution, H. Res. 526 were introduced. **Page 24414**

Additional Cosponsors: **Page 24414**

Reports Filed: Reports were filed today as follows:

H.R. 3665, to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide adaptive housing assistance to disabled veterans residing temporarily in housing owned by a family member and to make direct housing loans to Native American veterans, with amendments (H. Rept. 109–263). **Page 24414**

Speaker: Read a letter from the Speaker wherein he appointed Representative Porter to act as Speaker pro tempore for today. **Page 24378**

Recess: The House recessed at 12:55 p.m. and reconvened at 2 p.m. **Page 24380**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 2 p.m. on tomorrow, Wednesday, November 2nd. **Page 24382**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Heinz Ahlmeyer, Jr. Post Office Building Designation Act: H.R. 3548, to designate the facility of the United States Postal Service located on Franklin Avenue in Pearl River, New York, as the "Heinz Ahlmeyer, Jr. Post Office Building", by a yea-and-nay vote of 390 yeas with none voting "nay", Roll No. 557; **Pages 24383, 24387**

Lillian McKay Post Office Building Designation Act: H.R. 2413, to designate the facility of the United States Postal Service located at 1202 1st Street in Humble, Texas, as the "Lillian McKay Post Office Building"; and **Page 24384**

Albert Harold Quie Post Office Designation Act: H.R. 3989, amended, to designate the facility of the United States Postal Service located at 37598 Goodhue Avenue in Dennison, Minnesota, as the "Albert Harold Quie Post Office", by a yea-and-nay vote of 391 yeas to 1 nay, Roll No. 558. **Pages 24385, 24388**

Agreed to amend the title so as to read: "A bill to designate the facility of the United States Postal Service located at 37598 Goodhue Avenue in Dennison, Minnesota, as the Albert H. Quie Post Office." **Page 24389**

Presidential Message: Read a message from the President wherein he notified Congress of the continuation of the national emergency with respect to Sudan and is to continue in effect beyond November 3, 2005—referred to the Committee on International Relations and ordered printed (H. Doc. 109–66). **Page 24387**

Recess: The House recessed at 2:50 p.m. and reconvened at 6:30 p.m. **Page 24387**

Senate Message: Messages received from the Senate today appears on pages 24381 and 24388.

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages 24387 and 24388. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 10:58 p.m.

Committee Meetings

SPACE SECURITY

Committee on Armed Services: Asymmetric and Unconventional Threats Gap Panel held a hearing on space security. Testimony was heard from public witnesses.

SICK CRIME: COUNTERFEIT DRUGS IN THE UNITED STATES

Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy and Human Resources held a hearing entitled "Sick Crime: Counterfeit Drugs in the United States." Testimony was heard from Randall W. Lutter, Acting Associate Commissioner, Policy and Planing, FDA, Department of Health and Human Services; Jim Dahl, former Assistant Director, Investigations, Office of Criminal Investigations, FDA, Department of Health and Human Services; and public witnesses.

HISTORIC PRESERVATION—KATRINA AND RITA

Committee on Government Reform: Subcommittee on Federalism and the Census held a hearing on Historic Preservation vs. Katrina and Rita: What Role Should Federal, State and Local Governments Play in Preserving Historic Properties Affected by this Catastrophic Storm? Testimony was heard from Janet Matthews, Associate Director, Cultural Resources, National Park Service, Department of the Interior; Mitchell J. Landrieu Lieutenant Governor, State of Louisiana; H.T. Holmes, Director, Department of Archives and History, State of Mississippi; and public witnesses.

REFORMING HAZMAT TRUCKING SECURITY

Committee on Homeland Security: Subcommittee on Economic Security, Infrastructure Protection, and Cybersecurity held a hearing entitled "Reforming HAZMAT Trucking Security." Testimony was heard from Justin Oberman, Assistant Director, Transportation Threat Assessment and Credentialing, Transportation Security Administration, Department of Homeland Security; Robert McGuire, Associate Administrator, Pipeline and Hazardous Materials Safety Administration, Department of Transportation; and public witnesses.

SUDAN: LOSING GROUND ON PEACE

Committee on International Relations: Subcommittee on Africa, Global Human Rights and International Operations held a hearing on Sudan: Losing Ground on Peace? Testimony was heard from Jendayi Frazer, Assistant Secretary, Bureau of African Affairs, Department of State.

ADMINISTRATIVE LAW, PROCESS AND PROCEDURE PROJECT

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held an oversight hearing entitled "Administrative Law, Process and Procedure Project." Testimony was heard from J. Christopher Mihm, Managing Director, Strategic Issues, GAO; Morton Rosenberg, Specialist in American Public Law, American Law Division, CRS, Library of Congress; and public witnesses.

OVERSIGHT—VOTING RIGHTS ACT

Committee on the judiciary: Subcommittee on the Constitution held an oversight hearing entitled "The Voting Rights Act: Section 5—Preclearance Standards." Testimony was heard from public witnesses.

PAIN OF THE UNBORN

Committee on the Judiciary: Subcommittee on the Constitution an oversight hearing entitled "Pain of the Unborn." Testimony was heard from public witnesses.

PROMOTING PRIVATE SECTOR EMERGENCY PREPAREDNESS

Committee on Small Business: Held a hearing entitled "Promoting Private Sector Emergency Preparedness." Testimony was heard from public witnesses.

SOCIAL SECURITY NUMBER HIGH RISK ISSUES

Committee on Ways and Means: Subcommittee on Social Security held a hearing on Social Security Number High Risk Issues. Testimony was heard from the following officials of the SSA: Frederick G. Streckewald, Assistant Deputy Commissioner, Disability and Income Security Programs; and James A. Kissko, Deputy Inspector General.

Joint Meetings

APPROPRIATIONS: FOREIGN OPERATIONS

Conferees agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 3057, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2006.

Résumé of Congressional Activity

FIRST SESSION OF THE ONE HUNDRED NINTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 4 through October 31, 2005

	Senate	*House*	*Total*
Days in session	135	116	..
Time in session	1,019 hrs., 41′	865 hrs., 17′	..
Congressional Record:			
Pages of proceedings	12,078	9,436	..
Extensions of Remarks	..	2,227	..
Public bills enacted into law	26	68	94
Private bills enacted into law	..	..	..
Bills in conference	9	10	..
Measures passed, total	452	523	975
Senate bills	121	29	..
House bills	76	199	..
Senate joint resolutions	2	1	..
House joint resolutions	5	9	..
Senate concurrent resolutions	17	10	..
House concurrent resolutions	30	69	..
Simple resolutions	201	206	..
Measures reported, total	*218	*248	466
Senate bills	174	3	..
House bills	21	135	..
Senate joint resolutions	2	..	..
House joint resolutions	..	3	..
Senate concurrent resolutions	1	..	..
House concurrent resolutions	..	5	..
Simple resolutions	20	102	..
Special reports	11	6	..
Conference reports	..	8	..
Measures pending on calendar	170	76	..
Measures introduced, total	2,313	5,064	7,377
Bills	1,934	4,182	..
Joint resolutions	27	70	..
Concurrent resolutions	61	287	..
Simple resolutions	291	525	..
Quorum calls	3	1	..
Yea-and-nay votes	281	271	..
Recorded votes	..	284	..
Bills vetoed	..	..	..
Vetoes overridden	..	..	..

*These figures include all measures reported, even if there was no accompanying report. A total of 173 reports have been filed in the Senate, a total of 262 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 4 through October 31, 2005

Civilian nominations, totaling 442, disposed of as follows:

Confirmed	268
Unconfirmed	161
Withdrawn	11
Returned to White House	2

Other Civilian nominations, totaling 1,890, disposed of as follows:

Confirmed	1,370
Unconfirmed	520

Air Force nominations, totaling 9,760, disposed of as follows:

Confirmed	5,963
Unconfirmed	3,797

Army nominations, totaling 6,891, disposed of as follows:

Confirmed	6,777
Unconfirmed	114

Navy nominations, totaling 4,545, disposed of as follows:

Confirmed	4,538
Unconfirmed	7

Marine Corps nominations, totaling 1,380, disposed of as follows:

Confirmed	1,378
Unconfirmed	2

Summary

Total nominations carried over from the First Session	0
Total nominations received this Session	24,908
Total confirmed	20,294
Total unconfirmed	4,601
Total withdrawn	11
Total returned to the White House	2

Wednesday, November 2, 2005

Senate

Chamber Action

Routine Proceedings, pages 24513–24653

Measures Introduced: Five bills and four resolutions were introduced, as follows: S. 1951–1955, and S. Res. 294–297. **Page 24605**

Measures Reported:

S. 1953, to amend the Internal Revenue Code of 1986 and the Employee Retirement Income Security Act of 1974 to protect the retirement security of American workers by ensuring that pension benefits are funded and that pension assets are adequately diversified and by providing workers with adequate access to, and information about, their pension plans. (S. Rept. No. 109–174) **Page 24603**

Measures Passed:

Arrest of Sanjar Umarov: Senate agreed to S. Res. 295, expressing the sense of the Senate on the arrest of Sanjar Umarov in Uzbekistan. **Page 24648**

Honoring Dr. Richard Errett Smalley: Senate agreed to S. Res. 296, honoring the life of and expressing the condolences of the Senate on the passing of Dr. Richard Errett Smalley. **Page 24649**

Gaylord Nelson Wilderness: Senate agreed to S. Res. 297, marking the dedication of the Gaylord Nelson Wilderness within the Apostle Islands National Lakeshore. **Page 24649**

Budget Reconciliation: Senate continued consideration of S. 1932, to provide for reconciliation pursuant to section 202(a) of the concurrent resolution on the budget for fiscal year 2006 (H. Con. Res. 95), taking action on the following amendments proposed thereto: **Page 24513**

Adopted:

Gregg Amendment No. 2392, to provide that the language on pages 41, beginning on line 3 through line 11, entitled Amendments to the Balanced Budget and Emergency Deficit Control Act of 1985, be stricken. **Page 24576**

Pending:

Gregg (for Frist/Gregg) Amendment No. 2347, to provide amounts to address influenza and newly emerging pandemics. **Page 24513**

Conrad Amendment No. 2351, to fully reinstate the pay-as-you-go requirement through 2010. **Pages 24513, 24584**

Enzi Modified Amendment No. 2352, to provide elementary and secondary education assistance to students and schools impacted by Hurricane Katrina and to lower origination fees. **Pages 24513, 23578**

Lincoln Amendment No. 2356, to provide emergency health care and other relief for survivors of Hurricane Katrina. **Page 24513**

Inhofe/Chambliss Amendment No. 2355, to cap nondefense, non-trust-fund, discretionary spending at the previous fiscal year's level, beginning with fiscal year 2007. **Page 24513**

Nelson (FL) Amendment No. 2357, to hold Medicare beneficiaries harmless for the increase in the 2007 Medicare monthly part B premium that would otherwise occur because of the 2006 increase in payments under the physician fee schedule. **Page 24513**

Cantwell Amendment No. 2358, to strike the title relating to the establishment of an oil and gas leasing program in the Coastal Plain. **Page 24514**

Wyden/Talent Amendment No. 2362 (to the language proposed to be stricken by Amendment No. 2358), to enhance the energy security of the United States by prohibiting the exportation of oil and gas produced under leases in the Arctic National Wildlife Refuge. **Page 24537**

Grassley Amendment No. 2359, to clarify certain payment limitations applicable to certain payments under title I of the Farm Security and Rural Investment Act of 2002 and section 1101 of the Agricultural Reconciliation Act of 2005 and to partially restore funding to programs reduced by sections 1101, 1201, and 1202 of the Agricultural Reconciliation Act of 2005. **Page 24539**

Bingaman Amendment No. 2365, to prevent a severe reduction in the Federal medical assistance percentage determined for a State for fiscal year 2006 and to extend rebates for prescription drugs to enrollees in Medicaid managed care organizations. **Page 24550**

Byrd Amendment No. 2367, to replace title VIII of the bill with an amendment to section 214(c) of the Immigration and Nationality Act to impose a fee on employers who hire certain nonimmigrants. **Page 24554**

Lott/Lautenberg Amendment No. 2360, to reauthorize Amtrak. **Page 24558**

McCain Amendment No. 2370, to move forward the date on which the transition to digital television is to occur. **Page 24563**

Murray Amendment No. 2372, to provide a 6-month transition period for coverage of prescription drugs under Medicaid for individuals whose drug coverage is to be moved to the Medicare prescription drug program. **Page 24568**

Ensign Amendment No. 2368, to cut $2,000,000,000 from the convertor box subsidy program. **Page 24573**

Landrieu Amendment No. 2366, to provide funds for payments to producing States and coastal political subdivisions under the coastal impact assistance program. **Page 24577**

A unanimous consent agreement was reached providing for further consideration of the bill on Thursday, November 3, 2005, with votes to occur on or in relation to the pending amendments (listed above). Page 24650

Agriculture Appropriations Conference Report: Senate began consideration of the conference report to accompany H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006. Page 24586

A unanimous-consent agreement was reached providing for further consideration of the conference report at 9 a.m., on Thursday, November 3, 2005, with a vote on adoption of the conference report to occur thereon. Page 24650

Nominations Received: Senate received the following nomination:

Susan C. Schwab, of Maryland, to be a Deputy United States Trade Representative, with the rank of Ambassador. Page 24653

Messages From the House: Page 24602

Measures Referred: Page 24602

Executive Communications: Page 24602

Executive Reports of Committees: Page 24603

Additional Cosponsors: Page 24605

Statements on Introduced Bills/Resolutions: Page 24606

Additional Statements: Page 24601

Amendments Submitted: Page 24621

Authorities for Committees to Meet: Page 24647

Privileges of the Floor: Page 24648

Adjournment: Senate convened at 8:30 a.m., and adjourned at 7:56 p.m., until 9 a.m., on Thursday, November 3, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 24650.)

Committee Meetings

PANDEMIC INFLUENZA PREPAREDNESS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Agencies concluded a hearing to examine funding needs for pandemic influenza preparedness, focusing on vaccines, antivirals, and disease surveillance, public health infrastructure, and risk communication, after receiving testimony from Michael O. Leavitt, Secretary, Julie Gerberding, Director, Centers for Disease Control and Prevention, Anthony Fauci, Director, National Institute on Allergy and Infectious Diseases, National Institutes of Health, and Bruce Gellin, Director, National Vaccine Program Office, all of the Department of Health and Human Services; and John M. Barry, New Orleans, Louisiana.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the following business items:

S. 1063, to promote and enhance public safety and to encourage the rapid deployment of IP-enabled voice services, with an amendment in the nature of a substitute; and

The nominations of Shana L. Dale, of Georgia, to be Deputy Administrator of the National Aeronautics and Space Administration, and Mark V. Rosenker, of Maryland, and Kathryn Higgins, of South Dakota, each to be a Member of the National Transportation Safety Board, and nomination lists in the National Oceanic and Atmospheric Administration and the Coast Guard.

PUBLIC LANDS

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests concluded a hearing to examine S. 1548, to provide for the conveyance of certain Forest Service land to the city of Coffman Cove, Alaska, S. 1541, to protect, conserve, and restore public land administered by the Department of the Interior or the Forest Service and adjacent land through cooperative cost-shared grants to control and mitigate the spread of invasive species, S. 1552, to amend Public Law 97–435 to extend the authorization for the Secretary of the Interior to release certain conditions contained in a patent concerning certain land conveyed by the United States to Eastern Washington University until December 31, 2009, H.R. 482, to provide for a land exchange involving Federal lands in the Lincoln National Forest in the State of New Mexico, and S. 405, to provide for the conveyance of certain public land in Clark County, Nevada, for use as a heliport, after receiving testimony from Gloria Manning, Associate Deputy Chief for National Forest Systems, Forest Service, Department of Agriculture; and Scott J. Cameron, Deputy Assistant Secretary of the Interior for Performance, Accountability, and Human Resources.

HURRICANE KATRINA RESPONSE

Committee on Environment and Public Works: Committee concluded oversight hearings to examine the response to Hurricane Katrina, focusing on the actions of certain federal agencies, and efforts to provide economic revitalization on the Gulf Coast of the United States, after receiving testimony from Nils J. Diaz, Chairman, Nuclear Regulatory Commission; Sandy K. Baruah, Acting Assistant Secretary of Commerce for Economic Development; H. Dale Hall, Director, U.S. Fish and Wildlife Service, Department of the Interior; David L. Winstead, Commissioner, Public Buildings Service, General Services Administration; and Mayor C. Ray Nagin, Kim Dunn Chapital, Dillard University Deep South Center for Environmental

Justice, and William H. Hines, Jones, Walker, Waechter, Poitevent, Carrere and Denegre, L.L.P, all of New Orleans, Louisiana.

BUSINESS MEETING

Committee on Foreign Relations: On Tuesday, November 1, Committee ordered favorably reported the following business items:

The Convention for the Strengthening of the Inter-American Tropical Tuna Commission established by the 1949 Convention between the United States of America and the Republic of Costa Rica, with Annexes (Treaty Doc. 109–2);

S. 1315, to require a report on progress toward the Millennium Development Goals, with an amendment;

S. 1184, to waive the passport fees for a relative of a deceased member of the Armed Forces proceeding abroad to visit the grave of such member or to attend a funeral or memorial service for such member; and

The nominations of Donald A. Gambatesa, of Virginia, to be Inspector General, United States Agency for International Development, Roland Arnall, of California, to be Ambassador to the Kingdom of the Netherlands, Jeffrey Thomas Bergner, of Virginia, to be an Assistant Secretary of State for Legislative Affairs, and James Caldwell Cason, of Florida, to be Ambassador to the Republic of Paraguay.

U.S.-INDIAN NUCLEAR ENERGY COOPERATION

Committee on Foreign Relations: Committee concluded a hearing to examine security and nonproliferation implications relating to U.S.-Indian nuclear energy cooperation, after receiving testimony from R. Nicholas Burns, Under Secretary for Political Affairs, and Robert G. Joseph, Under Secretary for Arms Control and International Security, both of the Department of State; Ronald F. Lehman, II, Lawrence Livermore National Laboratory Center for Global Security Research, Livermore, California; Ashton B. Carter, Harvard University Belfer Center for Science and International Affairs, Cambridge, Massachusetts; and Henry D. Sokolski, Nonproliferation Policy Education Center, and Michael Krepon, Henry L. Stimson Center, both of Washington, D.C.

HURRICANE KATRINA: NEW ORLEANS LEVEE SYSTEM

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the effect of Hurricane Katrina on the infrastructure of coastal Louisiana, focusing on the performance of the levee system that surrounds New Orleans, after receiving testimony from Paul F. Mlakar, Senior Research Scientist, U.S. Army Research and Development Center, U.S. Army Corps of Engineers; Ivor Ll. van Heerden, Louisiana Forensic Data Gathering Team, Baton Rouge; Raymond B. Seed, University of California, Berkeley, on behalf of the National Science Foundation-sponsored Levee Investigation Team; and Peter G. Nicholson, University of Hawaii, Manoa, on behalf of the American Society of Civil Engineers.

TRIBAL LOBBYING MATTERS

Committee on Indian Affairs: Committee held an oversight hearing to examine In Re Tribal Lobbying Matters, Et Al., focusing on lobbying fraud, after receiving testimony from J. Steven Griles, former Deputy Secretary, and Michael Rossetti, former Counsel to the Secretary, both of the Department of the Interior; Kevin Sickey and David Sickey, both of the Coushatta Tribe of Louisiana, Elton; Fred Baggett, Greenberg Traurig, Tallahassee, Florida; B.R. McConnon, Democracy Data and Communications, Alexandria, Virginia; William Worfel, Kinder, Louisiana; Kathryn Van Hoof, Lecompte, Louisiana; Christopher Cathcart, Washington, D.C.; and Gail Halpern, Silver Spring, Maryland.

Hearings recessed subject to the call.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 21 public bills, H.R. 4196–4216; and 5 resolutions, H. Con. Res. 288–289; and H. Res. 528–530 were introduced. **Page 24510**

Additional Cosponsors: **Page 24512**

Reports Filed: Reports were filed today as follows:

Report on the Revised Suballocation of Budget Allocations for Fiscal Year 2006 (H. Rept. 109–264);

Conference report on H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, (H. Rept. 109–265); and

H. Res. 527, providing for consideration of the bill (H.R. 4128) to protect private property rights (H. Rept. 109–266). **Pages 24452, 24510**

Chaplain: The prayer was offered today by Rev. Bruce Bigelow, Pastor, Lake Hills Baptist Church, Schererville, Indiana. **Page 24428**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Department of Veterans Affairs Information Technology Management Improvement Act of 2005: H.R. 4061, to amend title 38, United States Code, to improve the management of information technology within the Department of Veterans Affairs by providing for the Chief Information Officer of that Department to have authority over resources, budget, and personnel related to the support function of information technology, by a ⅔ yea-and-nay vote of 408 yeas with none voting "nay", Roll No. 560; **Pages 24437, 24451**

Designating the Department of Veterans Affairs outpatient clinic in Appleton, Wisconsin, as the "John H. Bradley Department of Veterans Affairs Outpatient Clinic": H.R. 1691, to designate the Department of Veterans Affairs outpatient clinic in Appleton, Wisconsin, as the "John H. Bradley Department of Veterans Affairs Outpatient Clinic", by a ⅔ yea-and-nay vote of 407 yeas with none voting "nay", Roll No. 561; and **Pages 24441, 24452**

Designating the Federal building located at 333 Mt. Elliott Street in Detroit, Michigan, as the "Rosa Parks Federal Building": S. 1285, to designate the Federal building located at 333 Mt. Elliott Street in Detroit, Michigan, as the "Rosa Parks Federal Building"—clearing the measure for the President. **Page 24443**

Suspensions—Failed: The House failed to agree to suspend the rules and pass the following measure:

Online Freedom of Speech Act: H.R. 1606, to amend the Federal Election Campaign Act of 1971 to exclude communications over the Internet from the definition of public communication, by a ⅔ yea-and-nay vote of 225 yeas to 182 nays, Roll No. 559. **Pages 24430, 24450**

Departments of Commerce and Justice, Science, and Related Agencies Appropriations Act, 2006—Motion to go to Conference: The House disagreed to the Senate amendment and agreed to a conference on H.R. 2862, an act making appropriations for the Departments of Commerce and Justice, Science, and related agencies, for the fiscal year ending September 30, 2006. **Page 24446**

The House agreed to the Schwartz motion to instruct conferees by voice vote after agreeing to order the previous question. **Page 24446**

Later, the Chair appointed conferees: Representatives Messrs. Wolf, Taylor of North Carolina, Kirk, Weldon of Florida, Goode, LaHood, Culberson, Alexander, Lewis of California, Mollohan, Serrano, Cramer, Kennedy of Rhode Island, Fattah, and Obey. **Page 24450**

Recess: The House recessed at 4:35 p.m. and reconvened at 7:41 p.m. **Page 24450**

Advisory Committee on Student Financial Assistance: The Chair announced the Speaker's reappointment of Ms. Judith Flink of Morton Grove, Illinois, to the Advisory Committee on Student Financial Assistance for a three-year term. **Page 24488**

Suspensions: The House agreed to suspend the rules and pass the following measure:

Congratulating the Chicago White Sox on winning the 2005 World Series: H. Con. Res. 281, to congratulate the Chicago White Sox on winning the 2005 World Series. **Page 24488**

Senate Message: Message received from the Senate today appears on page 24428.

Senate Referrals: S. Con. Res. 56 was referred to the Committee on International Relations. **Page 24509**

Quorum Calls—Votes: 3 yea-and-nay votes developed during the proceedings of today and appear on pages 24450–52. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 11:19 p.m.

Committee Meetings

AGRICULTURAL NEGOTIATIONS—DOHA DEVELOPMENT FUND

Committee on Agriculture: Held a hearing to review Agricultural Negotiations in the Doha Development Round. Testimony was heard from Mike Johanns, Secretary of Agriculture; Rob Portman, U.S. Trade Representative; and public witnesses.

REVISED SUBALLOCATION OF BUDGET ALLOCATIONS FOR FISCAL YEAR 2006

Committee on Appropriations: Approved the Revised Suballocation of Budget Allocations for Fiscal Year 2006.

PANDEMIC INFLUENZA

Committee on Appropriations: Subcommittee on the Department of Labor, Health and Human Services, Education, and Related Agencies held a hearing on Pandemic Influenza. Testimony was heard from Michael O. Leavitt, Secretary of Health and Human Services.

ACQUISITION REFORM

Committee on Armed Services: Held a hearing on acquisition reform. Testimony was heard from the following officials of the Department of Defense: Kenneth J. Krieg, Under Secretary, Acquisition, Technology and Logistics; Claude M. Bolton, Jr., Assistant Secretary, Army (Acquisition, Logistics and Technology); John J. Young, Jr., Assistant Secretary, Navy, Research, Development and Acquisition; and LTG Donald J. Hoffman, USAF, Military Deputy, Office of the Assistant Secretary of the Air Force, Acquisition.

NATURAL GAS—HEATING OIL FOR AMERICAN HOMES

Committee on Energy and Commerce: Subcommittee on Energy and Air Quality held a hearing entitled "Natural Gas and Heating Oil for American Homes." Testimony was heard from the following officials of the Department of Energy: Joseph T. Kelliher, Chairman, Federal Energy Regulatory Commission; and Mark R. Maddox, Principal

Deputy Assistant Secretary, Office of Fossil Energy; Reuben Jeffrey III, Chairman, CFTC; Donald L. Mason, Commissioner, Public Utilities Commission, State of Ohio; Mary Ann Manoogian, Director, Office of Energy and Planning, State of New Hampshire; and public witnesses.

ISSUANCE OF SUBPOENAS—SILICOSIS INVESTIGATION

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations approved a motion authorizing the issuance of subpoenas decus tecum to the following individuals: James Ballard; Todd Coulter; Andrew W. Harron; and Ray A. Harron for certain records in connection with its silicosis investigation.

MISCELLANEOUS MEASURES

Committee on International Relations: Subcommittee on the Western Hemisphere approved for full Committee action the following measures: H. Con. Res. 280, Mourning the horrific loss of life caused by the floods and mudslides that occurred in October 2005 in Central America and Mexico and expressing the sense of Congress that the United States should do everything possible to assist the affected people and communities; H. Con. Res. 90, Conveying the sympathy of Congress to the families of the young women murdered in the State of Chihuahua, Mexico, and encouraging increased United States involvement in bringing an end to these crimes; and H. Res. 458, Remembering and commemorating the lives and work of Maryknoll Sisters Maura Clarke and Ita Ford, Ursuline Sister Dorothy Kazel, and Cleveland Lay Mission Team Member Jean Donovan, who were executed by members of the armed forces of El Salvador on December 2, 1980.

PRIVATE PROPERTY RIGHTS PROTECTION ACT

Committee on Rules: Granted, by voice vote, a structured rule on H.R. 4128, to protect private property rights, providing 90 minutes of general debate with 60 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary and 30 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read.

The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. The rule provides that the amendments printed in the report may be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard by Chairman Sensenbrenner, Chairman Goodlatte and Representatives Gingrey, Turner, Sodrel and Cuellar.

2005 SOLAR DECATHLON

Committee on Science: Subcommittee on Energy held a hearing on Winning Teams and Innovation Technologies from the 2005 Solar Decathlon. Testimony was heard from Richard Moorer, Deputy Assistant Secretary, Technology Development, Office of Energy Efficiency and Renewable Energy, Department of Energy; and public witnesses.

RESOLUTION—REQUESTING THE PRESIDENT TO TRANSMIT INFORMATION RELATING TO CONTRACTS FOR SERVICES OR CONSTRUCTION RELATING TO HURRICANE KATRINA RECOVERY

Committee on Transportation and Infrastructure: Ordered reported, without recommendation, H. Res. 488, Requesting that the President transmit to the House of Representatives information in his possession relating to contracts for services or construction related to Hurricane Katrina recovery.

HURRICANE KATRINA—GOVERNMENT'S USE OF CONTRACTORS

Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina: Held a hearing entitled "Hurricane Katrina: The Federal Government's Use of Contractors to Prepare and Respond." Testimony was heard from the following officials of the Department of Homeland Security: Greg Rothwell, Chief Procurement Officer; Patricia English, Senior Procurement Executive, FEMA; and Richard L. Skinner, Inspector General; COL Norbert Doyle, USA, Acting Principal Assistant Responsible for Contracting, U.S. Army Corps of Engineers; David E. Cooper, Director, Acquisition and Sourcing Management, GAO; and public witnesses.

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Thursday, November 3, 2005

Senate

Chamber Action

Routine Proceedings, pages 24655–24747

Measures Introduced: Five bills and three resolutions were introduced, as follows: S. 1956–1960, and S. Res. 298–300. Page 24726

Measures Reported:

S. 1095, to amend chapter 113 of title 18, United States Code, to clarify the prohibition on the trafficking in goods or services, with an amendment in the nature of a substitute.

S. 1699, to amend title 18, United States Code, to provide criminal penalties for trafficking in counterfeit marks, with an amendment. Page 24726

Measures Passed:

Budget Reconciliation: By 52 yeas to 47 nays (Vote No. 303), Senate passed S. 1932, to provide for reconciliation pursuant to section 202(a) of the concurrent resolution on the budget for fiscal year 2006 (H. Con. Res. 95), after taking action on the following amendments proposed thereto: Page 24661

Adopted:

Enzi Modified Amendment No. 2352, to provide elementary and secondary education assistance to students and schools impacted by Hurricane Katrina and to lower origination fees. Page 24662

By 83 yeas to 16 nays (Vote No. 289), Wyden/Talent Amendment No. 2362 (to the language proposed to be stricken by Amendment No. 2358), to enhance the energy security of the United States by prohibiting the exportation of oil and gas produced under leases in the Arctic National Wildlife Refuge. Page 24676

By 54 yeas to 45 nays (Vote No. 291), Bingaman Modified Amendment No. 2365, to prevent a severe reduction in the Federal medical assistance percentage determined for a State for fiscal year 2006 and to extend rebates for prescription drugs to enrollees in Medicaid managed care organizations. Page 24678

By 93 yeas to 6 nays (Vote No. 292), Lott/Lautenberg Amendment No. 2360, to reauthorize Amtrak. Page 24678

Vitter (for Stevens) Amendment No. 2412, to modify the distribution of excess proceeds from the auction authorized by section 309(j)(15)(C)(v) of the Communications Act of 1934. Page 24680

Harkin Amendment No. 2363, to affirm that the Federal funding levels for the rate of reimbursement of child support administrative expenses should not be reduced below the levels provided under current law, that States should continue to be permitted to use Federal child support incentive payments for child support program expenditures that are eligible for Federal matching payments, and to express the sense of the Senate that it does not support additional fees for successful child support collection. Page 24682

Gregg (for Murray/DeWine) Amendment No. 2350, to amend the definition of independent student to include students who are homeless children and youths and unaccompanied youths for purposes of the need analysis under the Higher Education Act of 1965. Page 24685

Gregg (for Specter/Leahy) Amendment No. 2378, to fund justice programs. Page 24685

Gregg (for Sununu) Amendment No. 2418, to amend chapter 21 of title 38, United States Code, to enhance adaptive housing assistance for disabled veterans and to reduce the amount appropriated for the Medicaid Integrity Program by $1,000,000 for each of fiscal years 2007 through 2010. Page 24685

Gregg (for Feinstein) Amendment No. 2411, to authorize the continued provision of certain adult day health care services or medical adult day care services under a State Medicaid plan. Page 24685

Gregg (for Warner) Amendment No. 2413, to provide additional ProGAP assistance to certain students. Page 24685

Baucus Amendment No. 2383, to exclude discounts provided to mail order and nursing facility pharmacies from the determination of average manufacturer price and to extend the discounts offered under fee-for-service Medicaid for prescription drugs to managed care organizations. Page 24688

Gregg (for Levin) Amendment No. 2417, to establish an International Border Community Interoperable Communications Demonstration Project. Page 24689

Santorum Amendment No. 2419, to amend title XVIII of the Social Security Act to make a technical correction regarding purchase agreements for power-driven wheelchairs under the Medicare program, to provide for coverage of ultrasound screening for abdominal aortic aneurysms under part B of such program, to improve patient access to, and utilization of, the colorectal cancer screening benefit under such program, and to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of such title. Page 24692

Gregg (for Lieberman) Amendment No. 2380, to make minor changes to the quality measurement systems provisions with respect to value based purchasing under the medicare program. Page 24693

Gregg (for Sununu/Allen) Amendment No. 2386, to ensure that amounts are not obligated out of the Digital Transition and Public Safety Fund until the proceeds of the auction are actually deposited by the FCC. Page 24693

Gregg (for Sununu) Amendment No. 2420, to convert Digital Transition and Public Safety Fund program payment amounts into limitations. Page 24693

Smith/Clinton Amendment No. 2390, to provide for a demonstration project regarding medicaid coverage of low-income HIV-infected individuals. Page 24694

Conrad/Salazar Amendment No. 2422, to ensure Medicaid enrollees have access to small, independent pharmacies located in rural and frontier areas. Page 24697

Rejected:

By 49 yeas to 50 nays (Vote No. 287), Nelson (FL) Amendment No. 2357, to hold Medicare beneficiaries harmless for the increase in the 2007 Medicare monthly part B premium that would otherwise occur because of the 2006 increase in payments under the physician fee schedule. **Page 24673**

By 48 yeas to 51 nays (Vote No. 288), Cantwell Amendment No. 2358, to strike the title relating to the establishment of an oil and gas leasing program in the Coastal Plain. **Page 24674**

By 30 yeas to 69 nays (Vote No. 293), McCain Amendment No. 2370, to move forward the date on which the transition to digital television is to occur. **Page 24679**

By 14 yeas to 85 nays (Vote No. 295), Byrd Amendment No. 2367, to replace title VIII of the bill with an amendment to section 214(c) of the Immigration and Nationality Act to impose a fee on employers who hire certain nonimmigrants. **Page 24681**

By 48 yeas to 51 nays (Vote No. 298), Cantwell Amendment No. 2400, to ensure the payment to the Treasury of the United States of 50 percent of revenues from oil and gas leasing and production on the Coastal Plain. **Page 24684**

By 49 yeas to 50 nays (Vote No. 299), Schumer/Rockefeller Amendment No. 2348, to strike the provisions increasing the Medicaid rebate for generic drugs. **Page 24689**

By 46 yeas to 52 nays (Vote No. 300), Reed Amendment No. 2409, to strike provisions relating to reforms of targeted case management. **Page 24692**

By 48 yeas to 51 nays (Vote No. 301), Reed Amendment No. 2396, to strike subtitle C of title II relating to FHA asset disposition. **Page 24693**

Cornyn Amendment No. 2408, to eliminate the converter box subsidy program. **Page 24696**

Withdrawn:

Gregg (for Frist/Gregg) Amendment No. 2347, to provide amounts to address influenza and newly emerging pandemics. **Page 24656**

Ensign Amendment No. 2368, to cut $2,000,000,000 from the convertor box subsidy program. **Page 24680**

Landrieu Amendment No. 2366, to provide funds for payments to producing States and coastal political subdivisions under the coastal impact assistance program. **Page 24680**

Hagel/Sununu Amendment No. 2391, to require Fannie Mae and Freddie Mac to register under the Securities Act of 1933. **Page 24691**

During consideration of this measure today, the Senate also took the following action:

By 50 yeas to 49 nays (Vote No. 283), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 305 of the Congressional Budget Act of 1974, as amended, with respect to Conrad Amendment No. 2351, to fully reinstate the pay-as-you-go requirement through 2010. Subsequently, the point of order that the amendment was not germane, was sustained, and the amendment thus fell. **Page 24661**

By 31 yeas to 68 nays (Vote No. 284), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 305 of the Congressional Budget Act of 1974, as amended, with respect to Ensign Amendment No. 2404 (to Amendment No. 2352, as modified), of a perfecting nature. Subsequently, the point of order that the amendment was not germane, was sustained, and the amendment thus fell. **Page 24665**

By 48 yeas to 51 nays (Vote No. 285), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 305 of the Congressional Budget Act of 1974, as amended, with respect to Lincoln Modified Amendment No. 2356, to provide emergency health care and other relief for survivors of Hurricane Katrina. Subsequently, the point of order that the amendment, was not germane, was sustained, and the amendment thus fell. **Page 24665**

By 32 yeas to 67 nays (Vote No. 286), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 306 of the Congressional Budget Act of 1974, as amended, with respect to Inhofe/Chambliss Amendment No. 2355, to cap non-defense, non-trust-fund, discretionary spending at the previous fiscal year's level, beginning with fiscal year 2007. Subsequently, the point of order that the amendment contained matter within the jurisdiction of the Committee on the Budget, was sustained, and the amendment thus fell. **Page 24672**

By 46 yeas to 53 nays (Vote No. 290), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 305 of the Congressional Budget Act of 1974, as amended, with respect to Grassley Amendment No. 2359, to clarify certain payment limitations applicable to certain payments under title I of the Farm Security and Rural Investment Act of 2002 and section 1101 of the Agricultural Reconciliation Act of 2005 and to partially restore funding to programs reduced by sections 1101, 1201, and 1202 of the Agricultural Reconciliation Act of 2005. Subsequently, the point of order that the amendment was not germane, was sustained, and the amendment thus fell. **Page 24676**

By 43 yeas to 56 nays (Vote No. 294), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 305 of the Congressional Budget Act of 1974, as amended, with respect to Murray Amendment No. 2372, to provide a 6-month transition period for coverage of prescription drugs under Medicaid for individuals whose drug coverage is to be moved to the Medicare prescription drug program. Subsequently, the point of order that the amendment was not germane, was sustained, and the amendment thus fell. **Page 24680**

By 44 yeas to 55 nays (Vote No. 296), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 306 of the Congressional Budget Act of 1974, as amended, with respect to Byrd/Harkin Amendment No. 2414, to provide for the suspension of the debate limitation on reconciliation legislation that causes a deficit or increases the deficit. Subsequently, the point of order that the amendment contained matter within the jurisdiction of the Committee on the Budget, was sustained, and the amendment thus fell. **Page 24683**

By 43 yeas to 56 nays (Vote No. 297), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 305 of the Congressional Budget Act of 1974, as amended, with respect to Lautenberg Amendment No. 2381, to require certification prior to beneficiary enrollment in a prescription drug plan or an MA–PD plan that has a gap in the coverage of prescription drugs under part D of title XVIII of the Social Security Act. Subsequently, the point of order that the amendment was not germane, was sustained, and the amendment thus fell. **Page 24684**

By 51 yeas to 48 nays (Vote No. 302), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 305 of the Congressional Budget Act of 1974, as amended, with respect to Snowe Amendment No. 2371, to amend title XVIII of the Social Security Act to provide the authority for negotiating fair prices for medicare prescription drugs. Subsequently, the point of order that the amendment was not germane, was sustained, and the amendment thus fell. **Page 24695**

National Adoption Month: Senate agreed to S. Res. 299, to express support for the goal of National Adoption Month by promoting national awareness of adoption, celebrating children and families involved in adoption, and encouraging Americans to secure safety, permanency, and well-being for all children. **Page 24745**

Honoring Henry Giugni: Senate agreed to S. Res. 300, relative to the death of Henry Ku'ualoha Giugni, former Sergeant-at-Arms of the United States Senate. **Page 24745**

Agriculture Appropriations Conference Report: By 81 yeas to 18 nays (Vote No. 282), Senate agreed to the conference report to accompany H.R. 2744, making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, clearing the measure for the President. **Page 24657**

National Defense Authorization—Agreement: A unanimous-consent agreement was reached providing for further consideration S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces at 9:30 a.m. on Friday, November 4, 2005, pursuant to the order of Wednesday, October 26, 2005; provided further, that on Friday, November 4, 2005, and Monday, November 7, 2005, amendments may be offered, debated, and then set aside with the time reserved for use at a later time. **Page 24747**

Messages From the House: **Page 24724**

Measures Read First Time: **Page 24724**

Executive Communications: **Page 24724**

Executive Reports of Committees: **Page 24726**

Additional Cosponsors: **Page 24726**

Statements on Introduced Bills/Resolutions: **Page 24727**

Additional Statements: **Page 24722**

Amendments Submitted: **Page 24732**

Authorities for Committees to Meet: **Page 24744**

Privileges of the Floor: **Page 24745**

Record Votes: Twenty-two record votes were taken today. (Total—303) **Pages 24660–61, 24664, 24672–73, 24676–81, 24684–85, 24690, 24692, 24694, 24696, 24717**

Adjournment: Senate convened at 9 a.m., and as a further mark of respect to the memory of the late Henry Ku'ualoha Giugni, in accordance with S. Res. 300, adjourned at 6:40 p.m., until 9:30 a.m., on Friday, November 4, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 24747.)

Committee Meetings

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported the nominations of Matthew Slaughter, of New Hampshire, and Katherine Baicker, of New Hampshire, each to be a Member of the Council of Economic Advisers, Orlando J. Cabrera, of Florida, to be Assistant Secretary of Housing and Urban Development, and Gigi Hyland, of Virginia, and Rodney E. Hood, of North Carolina, each to be a Member of the National Credit Union Administration Board.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 1699, to amend title 18, United States Code, to provide criminal penalties for trafficking in counterfeit marks, with an amendment;

S. 1095, to amend chapter 113 of title 18, United States Code, to clarify the prohibition on the trafficking in goods or services, with an amendment in the nature of a substitute; and

The nominations of Wan J. Kim, of Maryland, to be Assistant Attorney General, Civil Rights Division, Steven G. Bradbury, of Maryland, to be Assistant Attorney General for the Office of Legal Counsel, Sue Ellen Wooldridge, of Virginia, to be Assistant Attorney General, Environment and Natural Resources Division, and Thomas O. Barnett, of Virginia, to be Assistant Attorney General, Antitrust Division, all of the Department of Justice.

Also, Committee began consideration of H.R. 683, to amend the Trademark Act of 1946 with respect to dilution by blurring or tarnishment, but did not complete action thereon, and recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 13 public bills, H.R. 4217–4229; 1 private bill, H.R. 4230; and 2 resolutions, H. Res. 531, 533, were introduced. **Page 24835**

Additional Cosponsors: **Page 24836**

Reports Filed: Reports were filed today as follows:

Supplemental report on H.R. 4128, to protect private property rights (H. Rept. 109–262, Pt. 2);

H.R. 3508, to authorize improvements in the operation of the government of the District of Columbia, with an amendment (H. Rept. 109–267);

H.R. 923, to amend title 39, United States Code, to provide for free mailing privileges for personal correspondence and parcels sent by family members from within the United States to members of the Armed Forces serving on active duty in Iraq or Afghanistan, with amendments (Rept. 109–268);

H. Res. 488, requesting that the President transmit to the House of Representatives information in his possession relating to contracts for services or construction related to Hurricane Katrina recovery (Rept. 109–269); and H. Res. 532, waiving points of order against the conference report to accompany the bill (H.R. 3057) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006 (Rept. 109–270). **Page 24835**

Speaker: Read a letter from the Speaker wherein he appointed Representative Miller of Michigan to act as Speaker pro tempore for today. **Page 24748**

Chaplain: The prayer was offered today by Rev. Ronnie Mitchell, Sr., Pastor, Bethel African Methodist Episcopal Church, Spokane, Washington. **Page 24748**

Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2006—Motion to go to Conference: The House disagreed to the Senate amendment and agreed to a conference on H.R. 2528, to make appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2006. **Page 24753**

The House agreed to the Obey motion to instruct conferees by voice vote after agreeing to order the previous question. **Page 24753**

Representative Pelosi Question of Privilege: The Chair ruled that the resolution offered by Representative Pelosi did not constitute a question of the privileges of the House. Agreed to table the motion to appeal the ruling of the Chair by a yea-and-nay vote of 220 yeas to 191 nays, Roll No. 562. **Page 24757**

Appointed as Conferees on H.R. 2528: Representatives Messrs. Walsh, Aderholt, Mrs. Northup, Messrs. Simpson, Crenshaw, Young of Florida, Kirk, Rehberg, Carter, Lewis of California, Edwards, Farr, Boyd, Bishop of Georgia, Price of North Carolina, Cramer, and Obey. **Page 24759**

Coast Guard and Maritime Transportation Act of 2005—Motion to go to Conference: The House disagreed to the Senate amendment and agreed to a conference on H.R. 889, to authorize appropriations for the Coast Guard for fiscal year 2006, to make technical corrections to various laws administered by the Coast Guard. **Page 24760**

The House agreed to the Oberstar motion to instruct conferees by voice vote after agreeing to order the previous question. **Page 24760**

Later, the Chair appointed the following Members of the House to the conference committee on the bill: from the Committee on Transportation and Infrastructure, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Messrs.Young of Alaska, LoBiondo, Coble, Hoekstra, Simmons, Mario Diaz-Balart of Florida, Boustany, Oberstar, Filner, Taylor of Mississippi, Higgins and Ms. Schwartz of Pennsylvania. **Page 24798**

From the Committee on Energy and Commerce, for consideration of sec. 408 of the House bill, and modifications committed to conference: Messrs. Barton of Texas, Gillmor, and Dingell. **Page 24798**

From the Committee on Homeland Security, for consideration of secs. 101, 404, 413, and 424 of the House bill, and secs. 202, 207, 215, and 302 of the Senate amendment, and modifications committed to conference: Messrs. Daniel E. Lungren of California, Reichert, and Thompson of Mississippi. **Page 24798**

From the Committee on Resources, for consideration of secs. 426, 427, and title V of the House bill, and modifications committed to conference: Messrs. Pombo, Jones of North Carolina, and Pallone. **Page 24798**

Recess: The House recessed at 12:14 p.m. and reconvened at 2 p.m. **Page 24760**

Private Property Rights Protection Act of 2005: The House passed H.R. 4128, to protect private property rights, by a yea-and-nay vote of 376 yeas to 38 nays, Roll No. 568. **Page 24761**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. **Page 24782**

Agreed to:

Sensenbrenner Manager's amendment (No. 1 printed in H. Rept. 109–266) that makes clear that private roads that are open to the public, free or by toll, and flood control facilities, are covered under the exceptions to the bill. Also includes a savings clause making clear that nothing in the legislation shall be construed to affect the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (which requires the Federal government to pay the displacement costs of those adversely affected by the Federal government's exercise of eminent domain). Also incorporates into the bill's Sense of Congress section some language provided by the Resources Committee regarding the effect of the abuse of eminent domain on irrigation and reclamation projects, and on public lands; **Page 24783**

Sodrel amendment (No. 4 printed in H. Rept. 109–266) which clarifies that in any proceeding to prevent or remedy a taking, that the burden is on the state or agency to show that it is not for economic development as defined in the Act. Also requires a heightened standard of proof—clear and convincing—that the use fits one of the exceptions to economic development as defined in the Act; **Page 24785**

Miller of California amendment (No. 7 printed in H. Rept. 109–266) which adds language to specify that the term economic development in the bill does not include the redevelopment of brownfield sites. Uses the definition of brownfield site included in the Small Business Liability Relief and Brownfield Revitalization Act; **Page 24788**

Gingrey amendment (No. 8 printed in H. Rept. 109–266) which adds a new section to prohibit a State or political subdivision of a State from the exercise of eminent domain over the property of a religious or other nonprofit organization by reason of the nonprofit or tax-exempt status of such organization if that State or political subdivision received Federal economic development funds during any fiscal year in which it does so. This amendment also places the same prohibition on the Federal government. A violation of this provision will render the State or political subdivision ineligible to receive Federal economic development funds for a period of 2 fiscal years; **Page 24790**

Cuellar amendment (No. 9 printed in H. Rept. 109–266) which ensures that all Federal agencies review their regulations and procedures for compliance with this Act. It requires a report to the Attorney General; and **Page 24791**

Jackson-Lee of Texas amendment (No. 10 printed in H. Rept. 109–266) that expresses the legislative intent to protect from the taking by the Federal government for economic development or for private use of the property owned, either by assignment, intestate succession, or by record, by survivors of Hurricane Katrina. **Page 24792**

Rejected:

Nadler amendment (No. 2 printed in H. Rept. 109–266) that sought to allow a property owner to go to court before the property is taken in order to obtain declaratory or injunctive relief if the taking violates the Act. The bill currently only allows a property owner to obtain a preliminary injunction or temporary restraining order, and does not allow the property owner to bring an action until after the conclusion of the condemnation proceedings. The amendment would also strike the penalties portion of the bill, (by a recorded vote of 63 ayes to 355 noes, Roll No. 564); **Pages 24783, 24794**

Moran of Virginia amendment (No. 5 printed in H. Rept. 109–266) which sought to clarify the property conveyance for the definition of "economic development," specifies that increasing tax revenue must be the "primary purpose" of the taking authority, and sets a hard date of seven years that property holders can bring action against the taking authority. Also makes a number of technical corrections, (by a recorded vote of 49 ayes to 368 noes, Roll No. 565); **Pages 24785, 24795**

Turner amendment (No. 6 printed in H. Rept. 109–266) that sought to enumerate several harmful uses of land which constitute a threat to public health and safety (i.e. dilapidation, obsolescence, overcrowding, lack of ventilation, light, and sanitary facilities, excessive land coverage, deleterious land use, obsolete subdivisions or constitutes a brownfield) (by a recorded vote of 56 ayes to 357 noes, Roll No. 566); and **Pages 24787, 24795**

Watt amendment (No. 11 printed in H. Rept. 109–266) that sought to delete all sections of the bill and retains only the sense of Congress recognizing the importance of property rights and that in the aftermath of the Kelo decision that abuses of eminent domain power may occur, (by a recorded vote of 44 ayes to 371 noes, Roll No. 567). **Pages 24793, 24796**

The amendment in the nature of a substitute, as amended, was adopted. **Page 24797**

H. Res. 527, the rule providing for consideration of the bill was agreed to by a yea-and-nay vote of 401 yeas to 11 nays, Roll No. 563, after agreeing to order the previous question without objection. **Pages 24751, 24759**

Senate Message: Message received from the Senate today appears on page 24761.

Quorum Calls—Votes: Three yea-and-nay votes and 4 recorded votes developed during the proceedings of today and appear on pages 24758–59 and 24794–98. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:19 p.m.

Committee Meetings

YOUR TROOPS: THEIR STORY

Committee on Armed Services: Held a hearing on Your Troops: Their Story. Testimony was heard from the following officials of the Department of Defense: BG John F. Kelly, USMC, Legislative Assistant to the Commandant, U.S. Marine Corps; COL Robert Abrams, USA, Chief of Staff, lst Cavalry Division and CSM Neil Citola, USA, III Corps.

RADICAL ISLAM—UNDERSTANDING ASPIRATIONS

Committee on Armed Services: Terrorism and Radical Islam Gap Panel held a hearing on Understanding Aspirations of Radical Islam: Why Mainstream Islam is Radically Different. Testimony was heard from public witnesses.

DEFICIT REDUCTION ACT OF 2005

Committee on the Budget: Ordered reported the Deficit Reduction Act of 2005.

DATA ACCOUNTABILITY AND TRUST ACT

Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protection approved for full Committee action, as amended, H.R. 4127, Data Accountability and Trust Act.

TSA'S REGISTERED TRAVELER PROGRAM

Committee on Homeland Security: Subcommittee on Economic Security, Infrastructure Protection, Cybersecurity held a hearing entitled "The Future of TSA's Registered Traveler Program." Testimony was heard from Kip Hawley, Assistant Secretary, Transportation Security Administration, Department of Homeland Security; and public witnesses.

BRIEFING—PORTABLE ELECTRONIC DEVICES AND CYBER SYSTEMS SECURITY VULNERABILITIES

Committee on Homeland Security: Subcommittee on Economic Security, Infrastructure Protection, and Cybersecurity and the Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment met in executive session to receive a joint briefing on the security vulnerabilities of portable electronic devices and U.S. government cyber systems. The Subcommittees were briefed by departmental witnesses.

BIOSCIENCE AND THE INTELLIGENCE COMMUNITY

Committee on Homeland Security: Subcommittee on Prevention of Nuclear and Biological Attack held a hearing entitled "Bioscience and the Intelligence Community." Testimony was heard from public witnesses.

DIGITAL AGE—CONTENT PROTECTION

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property, held an oversight hearing entitled "Content Protection in the Digital Age: The Broadcast Flag, High-Definition Radio, and the Analog Hole." Testimony was heard from Dan Glickman, Chairman and CEO, Motion Picture Association of America; Mitch Bainwol, Chairman and CEO, Recording Industry Association of America; and public witnesses.

METHAMPHETAMINE EPIDEMIC ELIMINATION ACT; SECOND CHANCE ACT OF 2005

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security approved for full Committee action H.R. 3889, Methamphetamine Epidemic Elimination Act.

The Subcommittee also held a hearing on H.R. 1704, Second Chance Act of 2005. Testimony was heard from Representatives Cannon, Davis of Illinois and Jones of Ohio; Robert L. Ehrlich, Jr., Governor, State of Maryland.

OFFENDER RE-ENTRY

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held an oversight hearing entitled "Offender Re-entry: What is Needed to Provide Offenders with a Real Second Chance?" Testimony was heard from David Hagy, Deputy Assistant Attorney General, Office of Justice Programs, Department of Justice; Arthur Wallenstein, Director, Department of Correction and Rehabilitation, Montgomery County, State of Maryland; and public witnesses.

OVERSIGHT—INVASIVE ASIAN CARP

Committee on Resources: Subcommittee on Fisheries and Oceans held an oversight hearing on the Growing Problem of Invasive Asian Carp in the Great Lakes and Mississippi River System. Testimony was heard from Representative Kennedy of Minnesota; Everett Wilson, Deputy Assistant Director, Fisheries and Habitat Conservation, U.S. Fish and Wildlife Service, Department of the Interior; and public witnesses.

FEDERAL AND DISTRICT OF COLUMBIA GOVERNMENT REAL PROPERTY ACT OF 2005

Committee on Resources: Subcommittee on National Parks held a hearing on H.R. 3699, Federal and District of Columbia Government Real Property Act of 2005. Testimony was heard from Delegate Norton; Paul Hoffman, Deputy Assistant Secretary, Fish and Wildlife and Parks, Department of the Interior; and Anthony A. Williams, Mayor, District of Columbia.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Water and Power held a hearing on the following bills: H.R. 1190, San Diego Water Storage and Efficiency Act of 2005; H.R. 2563, To authorize the Secretary of the Interior to conduct feasibility studies to address certain water shortages within the Snake, Boise, and Payette River systems in Idaho; and H.R. 3153, Upper Colorado and San Juan River Basin Endangered Fish Recovery Implementation Programs Reauthorization Act of 2005. Testimony was heard from Representative Otter; William Rinne, Deputy Commissioner, Director of Operations, Bureau of Reclamation, Department of the Interior; Tom Blickensderfer, Endangered Species Program Director, Department of Natural Resources, State of Colorado; and a public witness.

CONFERENCE REPORT—FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2006

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 3057, Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2006, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Representative Kolbe.

NASA'S PROGRAMS STATUS

Committee on Science: Held a hearing on Status of NASA's Programs. Testimony was heard from Michael D. Griffin, Administrator, NASA.

HURRICANE KATRINA—RESPONSE PROPOSALS

Committee on Transportation and Infrastructure: Subcommittee on Economic Development, Public Buildings and Emergency Management held a hearing on proposals in response to Hurricane Katrina. Testimony was heard from Representatives Kennedy of Rhode Island, Kolbe, Platts, Blumenauer, Schmidt, Foley, Lantos, Shays, Jindal and Pickering.

OVERSIGHT—VBA'S ANNUAL BUDGET REQUEST

Committee on Veterans' Affairs: Subcommittee on Disability Assistance and Memorial Affairs held an oversight hearing on the development of the Veterans Benefits Administration's annual budget request. Testimony was heard from Daniel L. Cooper, Under Secretary, Benefits, Veterans Benefits Administration, Department of Veterans Affairs.

REVIEW—CREDIT UNION TAX EXEMPTION

Committee on Ways and Means: Held a hearing on Review of Credit Union Tax Exemption. Testimony was heard from JoAnn Johnson, Chairman, National Credit Union Administration; Steven T. Miller, Commissioner, Tax-Exempt and Government Entities Division, IRS, Department of the Treasury; Richard J. Hillman, Management Director, Financial Markets and Community Investment, GAO; former Representative Norman E. D'Amours, State of New Hampshire, and former Chairman, National Credit Union Administration; and public witnesses.

UNITED STATES-BAHRAIN FREE TRADE AGREEMENT IMPLEMENTATION ACT

Committee on Ways and Means: Approved the draft implementing proposal on the United States-Bahrain Free Trade Agreement Implementation Act.

BRIEFING—GLOBAL UPDATES/HOTSPOTS

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on Global Updates/Hotspots. The Committee was briefed by departmental witnesses.

Joint Meetings

ECONOMIC OUTLOOK

Joint Economic Committee: Committee concluded a hearing to examine the current economic outlook, after receiving testimony from Alan Greenspan, Chairman, Board of Governors of the Federal Reserve System.

APPROPRIATIONS: SCIENCE/STATE/JUSTICE/COMMERCE

Conferees met to resolve the differences between the Senate and House passed versions of H.R. 2862, making appropriations for the Departments of Commerce and Justice, Science, and related agencies, for the fiscal year ending September 30, 2006, but did not complete action thereon, and will meet again on Friday, November 4, 2005.

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Friday, November 4, 2005

Senate

Chamber Action

Routine Proceedings, pages 24923–63

Measures Introduced: Four bills were introduced, as follows: S. 1961–1964. **Page 24950**

Measures Reported:

S. 1184, to waive the passport fees for a relative of a deceased member of the Armed Forces proceeding abroad to visit the grave of such member or to attend a funeral or memorial service for such member. **Page 24950**

Department of Defense Authorization: Senate resumed consideration of S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, taking action on the following amendments proposed thereto: **Page 24923**

Adopted:

McCain Amendment No. 2425, relating to persons under the detention, custody, or control of the United States Government. **Page 24928**

Withdrawn:

Inhofe Amendment No. 1311, to protect the economic and energy security of the United States. **Page 24925**

Inhofe/Kyl Amendment No. 1313, to require an annual report on the use of United States funds with respect to the activities and management of the International Committee of the Red Cross. **Page 24925**

Ensign Amendment No. 1374, to require a report on the use of riot control agents. **Page 24925**

Ensign Amendment No. 1375, to require a report on the costs incurred by the Department of Defense in implementing or supporting resolutions of the United Nations Security Council. **Page 24925**

Durbin Amendment No. 1379, to require certain dietary supplement manufacturers to report certain serious adverse events. **Page 24925**

Hutchison/Nelson (FL) Amendment No. 1357, to express the sense of the Senate with regard to manned space flight. **Page 24925**

Thune Amendment No. 1389, to postpone the 2005 round of defense base closure and realignment. **Page 24925**

Kennedy Amendment No. 1415, to transfer funds authorized to be appropriated to the Department of Energy for the National Nuclear Security Administration for weapons activities and available for the Robust Nuclear Earth Penetrator to the Army National Guard, Washington, District of Columbia, chapter. **Page 24925**

Allard/McConnell Amendment No. 1418, to require life cycle cost estimates for the destruction of lethal chemical munitions under the Assembled Chemical Weapons Alternatives program. **Page 24925**

Allard/Salazar Amendment No. 1419, to authorize a program to provide health, medical, and life insurance benefits to workers at the Rocky Flats Environmental Technology Site, Colorado, who would otherwise fail to qualify for such benefits because of an early physical completion date. **Page 24925**

Dorgan Amendment No. 1426, to express the sense of the Senate on the declassification and release to the public of certain portions of the Report of the Joint Inquiry into the Terrorist Attacks of September 11, 2001, and to urge the President to release information regarding sources of foreign support for the hijackers involved in the terrorist attacks of September 11, 2001. **Page 24925**

Dorgan Amendment No. 1429, to establish a special committee of the Senate to investigate the awarding and carrying out of contracts to conduct activities in Afghanistan and Iraq and to fight the war on terrorism. **Page 24925**

Salazar Amendment No. 1421, to rename the death gratuity payable for deaths of members of the Armed Forces as fallen hero compensation. **Page 24925**

Salazar Amendment No. 1422, to provide that certain local educational agencies shall be eligible to receive a fiscal year 2005 payment under section 8002 or 8003 of the Elementary and Secondary Education Act of 1965. **Page 24925**

Salazar/Reed Amendment No. 1423, to provide for Department of Defense support of certain Paralympic sporting events. **Page 24925**

Collins (for Thune) Amendment No. 1489, to postpone the 2005 round of defense base closure and realignment. **Page 24925**

Collins (for Thune) Amendment No. 1490, to require the Secretary of the Air Force to develop and implement a national space radar system capable of employing at least two frequencies. **Page 24925**

Collins (for Thune) Amendment No. 1491, to prevent retaliation against a member of the Armed Forces for providing testimony about the military value of a military installation. **Page 24925**

Reed (for Levin) Amendment No. 1492, to make available, with an offset, an additional $50,000,000, for Operation and Maintenance for Cooperative Threat Reduction. **Page 24925**

Hatch Amendment No. 1516, to express the sense of the Senate regarding the investment of funds as called for in the Depot Maintenance Strategy and Master Plan of the Air Force. **Page 24925**

Inhofe Amendment No. 1476, to express the sense of Congress that the President should take immediate steps to establish a plan to implement the recommendations of the 2004 Report to Congress of the United States-China Economic and Security Review Commission. **Page 24925**

Allard Amendment No. 1383, to establish a program for the management of post-project completion retirement benefits for employees at Department of Energy project completion sites. **Page 24925**

Allard/Salazar Amendment No. 1506, to authorize the Secretary of Energy to purchase certain essential mineral rights and resolve natural resource damage liability claims. **Page 24925**

McCain Modified Amendment No. 1557, to provide for uniform standards for the interrogation of persons under the detention of the Department of Defense. **Page 24925**

Warner Amendment No. 1566, to provide for uniform standards and procedures for the interrogation of persons under the detention of the Department of Defense. **Page 24925**

McCain Modified Amendment No. 1556, to prohibit cruel, inhuman, or degrading treatment or punishment of persons under the custody or control of the United States Government. **Page 24925**

Stabenow/Johnson Amendment No. 1435, to ensure that future funding for health care for veterans takes into account changes in population and inflation. **Page 24925**

Murray Amendment No. 1348, to amend the assistance to local educational agencies with significant enrollment changes in military dependent students due to force structure changes, troop relocations, creation of new units, and realignment under BRAC. **Page 24926**

Murray Amendment No. 1349, to facilitate the availability of child care for the children of members of the Armed Forces on active duty in connection with Operation Enduring Freedom or Operation Iraqi Freedom and to assist school districts serving large numbers or percentages of military dependent children affected by the war in Iraq or Afghanistan, or by other Department of Defense personnel decisions. **Page 24926**

Levin Amendment No. 1494, to establish a national commission on policies and practices on the treatment of detainees since September 11, 2001. **Page 24926**

Hutchison Amendment No. 1477, to make oral and maxillofacial surgeons eligible for special pay for Reserve health professionals in critically short wartime specialties. **Page 24926**

Graham/McCain Modified Amendment No. 1505, to authorize the President to utilize the Combatant Status Review Tribunals and Annual Review Board to determine the status of detainees held at Guantanamo Bay, Cuba. **Page 24926**

Nelson (FL) Amendment No. 762, to repeal the requirement for the reduction of certain Survivor Benefit Plan annuities by the amount of dependency and indemnity compensation and to modify the effective date for paid-up coverage under the Survivor Benefit Plan. **Page 24926**

Durbin Amendment No. 1428, to authorize the Secretary of the Air Force to enter into agreements with St. Clair County, Illinois, for the purpose of constructing joint administrative and operations structures at Scott Air Force Base, Illinois. **Page 24926**

Durbin Amendment No. 1571, to ensure that a Federal employee who takes leave without pay in order to perform service as a member of the uniformed services or member of the National Guard shall continue to receive pay in an amount which, when taken together with the pay and allowances such individual is receiving for such service, will be no less than the basic pay such individual would then be receiving if no interruption in employment had occurred. **Page 24926**

Levin Amendment No. 1496, to prohibit the use of funds for normalizing relations with Libya pending resolution with Libya of certain claims relating to the bombing of the LaBelle Discotheque in Berlin, Germany. **Page 24926**

Levin Amendment No. 1497, to establish limitations on excess charges under time-and-materials contracts and labor-hour contracts of the Department of Defense. **Page 24926**

Levin (for Harkin/Dorgan) Amendment No. 1425, relating to the American Forces Network. **Page 24926**

Pending:

Nelson (FL) Amendment No. 2424, to repeal the requirement for the reduction of certain Survivor Benefit Plan annuities by the amount of dependency and indemnity compensation and to modify the effective date for paid-up coverage under the Survivor Benefit Plan. **Page 24926**

Allard Amendment No. 2423, to authorize a program to provide health, medical, and life insurance benefits to workers at the Rocky Flats Environmental Technology Site, Colorado, who would otherwise fail to qualify for such benefits because of an early physical completion date. **Page 24934**

Reed (for Levin/Reed) Amendment No. 2427, to make available, with an offset, an additional $50,000,000 for Operation and Maintenance for Cooperative Threat Reduction. **Pages 24938, 24945**

Levin Amendment No. 2430, to establish a national commission on policies and practices on the treatment of detainees since September 11, 2001. **Page 24942**

Inhofe Amendment No. 2432, relating to the partnership security capacity of foreign military and security forces and security and stabilization assistance. **Page 24944**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 2 p.m. on Monday, November 7, 2005. **Page 24962**

Appointments:

Antitrust Modernization Commission: The Chair, on behalf of the Majority Leader, pursuant to Public Law 107–273, announced the appointment of the following individual to serve as a member of the Antitrust Modernization Commission: Makan Delrahim, of the District of Columbia. **Page 24961**

NATO Parliamentary Assembly: The Chair, on behalf of the Vice President, in accordance with 22 U.S.C. 1928a–1928d, as amended, appointed the following Senators to the Senate Delegation to the NATO Parliamentary Assembly in Copenhagen, Denmark, November 11–14, 2005, during the 109th Congress: Senators Lott, Allard, Sessions, Bunning, and Voinovich. **Page 24961**

Nominations Confirmed: Senate confirmed the following nominations:

Wan J. Kim, of Maryland, to be an Assistant Attorney General.

James Caldwell Cason, of Florida, to be Ambassador to the Republic of Paraguay.

Orlando J. Cabrera, of Florida, to be an Assistant Secretary of Housing and Urban Development.

Shana L. Dale, of Georgia, to be Deputy Administrator of the National Aeronautics and Space Administration.

Katherine Baicker, of New Hampshire, to be a Member of the Council of Economic Advisers.

Matthew Slaughter, of New Hampshire, to be a Member of the Council of Economic Advisers.

Jeffrey Thomas Bergner, of Virginia, to be an Assistant Secretary of State (Legislative Affairs).

Routine lists in the Coast Guard, National Oceanic and Atmospheric Administration. **Pages 24961, 24963**

Nominations Received: Senate received the following nominations:

61 Air Force nominations in the rank of general.

46 Army nominations in the rank of general.

A routine list in the Army. **Page 24962**

Messages From the House: **Page 24949**

Measures Referred: **Page 24949**

Measures Placed on Calendar: **Page 24950**

Additional Cosponsors: **Page 24950**

Statements on Introduced Bills/Resolutions: **Page 24950**

Amendments Submitted: **Page 24956**

Privileges of the Floor: **Page 24961**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 12:54 p.m., until 1 p.m., on Monday, November 7, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 24962.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 9 public bills, H.R. 4231–4239; 6 resolutions, H.J. Res. 71; H. Con. Res. 290–291; and H. Res. 534–536 were introduced. **Page 24920**

Additional Cosponsors: **Page 24921**

Reports Filed: There were no reports filed today.

Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2006—Conference Report: The House agreed to the conference report on H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes, by a yea-and-nay vote of 358 yeas to 39 nays, Roll No. 569. **Page 24874**

H. Res. 532, the rule providing for consideration of the conference report, was agreed to by voice vote after agreeing to order the previous question. **Page 24868**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday, November 7, 2005, for morning-hour debate. **Page 24898**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, November 9th. **Page 24898**

Quorum Calls—Votes: One yea-and-nay vote developed during the proceedings today and appears on page 24896. There were no quorum calls.

Senate Message: Message received from the Senate today appears on page 24916.

Adjournment: The House met at 9 a.m. and adjourned at 2:28 p.m.

Committee Meetings

U.S. RESPONSE TO REGION POWERS

Committee on Armed Services: Regional Powers Panel held a hearing on U.S. response to regional powers and interagency planning capabilities. Testimony was heard from public witnesses.

AVIAN FLU PREPAREDNESS

Committee on Government Reform: Held a hearing entitled "The National Pandemic Influenza Preparedness and Response Plan: Is the U.S. Ready for Avian Flu?" Testimony was heard from the following officials of the Department of Health and Human Services: Michael O. Leavitt, Secretary; Anthony S. Fauci, M.D., Director, National Institute of Allergy and Infectious Diseases, NIH; Bruce Gellin, M.D., Director, National Vaccine Planning Office; Julie Gerberding, M.D., Director, Centers for Disease Control and Prevention; and William Raub, M.D., Science Advisor to the Secretary.

Joint Meetings

EMPLOYMENT

Joint Economic Committee: Committee concluded hearings to examine the employment-unemployment situation for October 2005, focusing on the impact of the recent hurricanes on the jobs data, consumer spending, and homeownership, after receiving testimony from Kathleen P. Utgoff, Commissioner, Bureau of Labor Statistics, Department of Labor.

APPROPRIATIONS: COMMERCE/JUSTICE/SCIENCE

Conferees agreed to file a conference report on the differences between the Senate and House passed versions of

H.R. 2862, making appropriations for the Departments of Commerce and Justice, Science, and related agencies, for the fiscal year ending September 30, 2006.

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Monday, November 7, 2005

Senate

Chamber Action

Routine Proceedings, pages 24969–25016

Measures Introduced: Eight bills were introduced, as follows: S. 1965–1972. **Page 25001**

Measures Reported:

H.R. 680, to direct the Secretary of Interior to convey certain land held in trust for the Paiute Indian Tribe of Utah to the City of Richfield, Utah. (S. Rept. No. 109–175)

S. 1315, to require a report on progress toward the Millennium Development Goals, with amendments. **Page 25001**

Department of Defense Authorization: Senate resumed consideration of S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, taking action on the following amendments proposed thereto: **Page 24976**

Rejected:

By 38 yeas to 53 nays (Vote No. 304), Allard Amendment No. 2423, to authorize a program to provide health, medical, and life insurance benefits to workers at the Rocky Flats Environmental Technology Site, Colorado, who would otherwise fail to qualify for such benefits because of an early physical completion date. **Pages 24976, 24994**

Pending:

Nelson (FL) Amendment No. 2424, to repeal the requirement for the reduction of certain Survivor Benefit Plan annuities by the amount of dependency and indemnity compensation and to modify the effective date for paid-up coverage under the Survivor Benefit Plan. **Page 24976**

Reed (for Levin/Reed) Amendment No. 2427, to make available, with an offset, an additional $50,000,000 for Operation and Maintenance for Cooperative Threat Reduction. **Page 24976**

Levin Amendment No. 2430, to establish a national commission on policies and practices on the treatment of detainees since September 11, 2001. **Pages 24977, 24987**

Inhofe Amendment No. 2432, relating to the partnership security capacity of foreign military and security forces and security and stabilization assistance. **Page 24977**

Chambliss Amendment No. 2433, to reduce the eligibility age for receipt of non-regular military service retired pay for members of the Ready Reserve in active Federal status or an active duty for significant periods. **Page 24977**

Snowe Amendment No. 2436, to require the Secretary of Defense, subject to a national security exception, to offer to transfer to local redevelopment authorities for no consideration real property and personal property located at military installations that are closed or realigned as part of the 2005 round of defense base closure and realignment. **Page 24981**

Harkin/Dorgan Amendment No. 2438, relating to the American Forces Network. **Page 24990**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:45 a.m. on Tuesday, November 8, 2005. **Page 25016**

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following treaty:

Protocol Amending Tax Convention on Inheritances with France (Treaty Doc. No. 109–7).

The treaty was transmitted to the Senate on Friday, November 4, 2005, and today considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed. **Page 25015**

Nominations Confirmed: Senate confirmed the following nominations:

Rodney E. Hood, of North Carolina, to be a Member of the National Credit Union Administration Board for a term expiring April 10, 2009.

Gigi Hyland, of Virginia, to be a Member of the National Credit Union Administration Board for a term expiring August 2, 2011. **Pages 25015, 25016**

Nominations Received: Senate received the following nominations:

Mark D. Acton, of Kentucky, to be a Commissioner of the Postal Rate Commission for a term expiring October 14, 2010.

John L. Palmer, of New York, to be a Member of the Board of Trustees of the Federal Supplementary Medical Insurance Trust Fund for a term of four years.

John L. Palmer, of New York, to be a Member of the Board of Trustees of the Federal Hospital Insurance Trust Fund for a term of four years.

Thomas R. Saving, of Texas, to be a Member of the Board of Trustees of the Federal Hospital Insurance Trust Fund for a term of four years.

John L. Palmer, of New York, to be a Member of the Board of Trustees of the Federal Old-Age and Survivors

Trust Fund and the Federal Disability Insurance Trust Fund for a term of four years.

Thomas R. Saving, of Texas, to be a Member of the Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for a term of four years.

Thomas R. Saving, of Texas, to be a Member of the Board of Trustees of the Federal Supplementary Medical Insurance Trust Fund for a term of four years.

Kristie A. Kenney, of Virginia, to be Ambassador to the Republic of the Philippines.

Robert Weisberg, of Maryland, to be Ambassador to the Republic of Congo. **Page 25016**

Nominations Discharged: The following nominations were discharged from further committee consideration and placed on the Executive Calendar:

Julie L. Myers, of Kansas, to be an Assistant Secretary of Homeland Security, which was sent to the Senate on June 29, 2005, from the Senate Committee on the Judiciary.

George J. Opfer, of Virginia, to be Inspector General, Department of Veterans Affairs, which was sent to the Senate on September 6, 2005, from the Senate Committee on Homeland Security and Governmental Affairs.

Measures Read First Time: **Page 25000**

Executive Communications: **Page 25000**

Additional Cosponsors: **Page 25002**

Statements on Introduced Bills/Resolutions: **Page 25003**

Additional Statements: **Page 24998**

Amendments Submitted: **Page 25005**

Notices of Hearings/Meetings: **Page 25008**

Privileges of the Floor: **Page 25008**

Record Votes: One record vote was taken today. (Total—304) **Page 24997**

Adjournment: Senate convened at 1 p.m., and adjourned at 6:21 p.m., until 9:45 a.m., on Tuesday, November 8, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 25016.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 8 public bills, H.R. 4240, 4242–4247; and 2 resolutions, H. Con. Res. 292 and H. Res. 537, were introduced. **Page 25287**

Additional Cosponsors: **Page 25287**

Reports Filed: Reports were filed today as follows:

H.R. 1751, to amend title 18, United States Code, to protect judges, prosecutors, witnesses, victims, and their family members, with an amendment (H. Rept. 109–271);

Conference report on H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006 (H. Rept. 109–272);

H.R. 2875, to amend the Public Lands Corps Act of 1993 to provide for the conduct of projects that protect forests, with an amendment (Rept. 109–273, Pt. 1);

H.R. 4133, to temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the national flood insurance program (Rept. 109–274);

Conference report on H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006 (H. Rept. 109–275); and

H.R. 4241, to provide for reconciliation pursuant to section 201(a) of the concurrent resolution on the budget for fiscal year 2006 (Rept. 109–276). **Pages 25034, 25136, 25286**

Speaker: Read a letter from the Speaker wherein he appointed Representative Aderholt to act as Speaker pro tempore for today. **Page 25017**

Recess: The House recessed at 1:03 p.m. and reconvened at 2 p.m. **Page 25020**

Chaplain: The prayer was offered today by Rev. Michael J. O'Sullivan, St. Peter's Catholic Church, Washington, DC. **Page 25020**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Recognizing the 40th anniversary of the Second Vatican Council's Declaration on the Relation of the Church to Non-Christian Religions, Nostra Aetate, and the continuing need for mutual interreligious respect and dialogue: H. Con. Res. 260, amended, to recognize the 40th anniversary of the Second Vatican Council's Declaration on the Relation of the Church to Non-Christian Religions, Nostra Aetate, and the continuing need for mutual interreligious respect and dialogue, by a yea-and-nay vote of 349 yeas with none voting "nay", Roll No. 570; **Pages 25021, 25134**

Agreed to amend the title so as to read: "Concurrent resolution recognizing the 40th anniversary of the Second Vatican Council's promulgation of Nostra Aetate, the declaration on the relation of the Roman Catholic Church to non-Christian religions, and the historic role of Nostra Aetate in fostering mutual interreligious respect and dialogue.". **Page 25134**

Water for the Poor Act of 2005: H.R. 1973, amended, to make access to safe water and sanitation for developing countries a specific policy objective of the United States foreign assistance programs, by a yea-and-nay vote of 319 yeas to 34 nays, Roll No. 571 and; **Pages 25023, 25134**

Gynecological Resolution for Advancement of Ovarian Cancer Education: H. Res. 444, amended, to support the goals and ideals of National Ovarian Cancer Awareness Month, by a yea-and-nay vote of 348 yeas with none voting "nay", Roll No. 572. **Pages 25029, 25135**

Recess: The House recessed at 3:22 p.m. and reconvened at 6:32 p.m. **Page 25034**

Quorum Calls—Votes: 3 yea-and-nay votes developed during the proceedings of today and appear on pages 25134–36. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 11:41 p.m.

Committee Meetings

No committee meetings were held.

Joint Meetings

APPROPRIATIONS: ENERGY AND WATER

Conferees agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006.

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Tuesday, November 8, 2005

Senate

Chamber Action

Routine Proceedings, pages 25377–25469

Measures Introduced: Five bills and two resolutions were introduced, as follows: S. 1973–1977, S. Res. 301, and S. Con. Res. 62. **Page 25442**

Measures Passed:

Native American Housing Enhancement Act: Senate passed H.R. 797, to amend the Native American Housing Assistance and Self-Determination Act of 1996 and other Acts to improve housing programs for Indians, after agreeing to the following amendment proposed thereto: **Page 25466**

Voinovich (for Enzi) Amendment No. 2472, to modify a provision relating to the application of certain Acts to Indian tribes. **Page 25467**

James T. Molloy Post Office Building: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of H.R. 3339, to designate the facility of the United States Postal Service located at 2061 South Park Avenue in Buffalo, New York, as the "James T. Molloy Post Office Building", and the bill was then passed, clearing the measure for the President. **Page 25468**

Mayor Joseph S. Daddona Memorial Post Office: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of H.R. 2490, to designate the facility of the United States Postal Service located at 442 West Hamilton Street, Allentown, Pennsylvania, as the "Mayor Joseph S. Daddona Memorial Post Office", and the bill was then passed, clearing the measure for the President. **Page 25468**

Department of Defense Authorization: Senate continued consideration of S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, taking action on the following amendments proposed thereto: **Pages 25386, 25393**

Adopted:

By 55 yeas to 43 nays (Vote No. 305), Warner (for Inhofe) Modified Amendment No. 2439, relating to the American Forces Network. **Pages 25391, 25393**

By 93 yeas to 5 nays (Vote No. 307), Nelson (FL) Amendment No. 2424, to repeal the requirement for the reduction of certain Survivor Benefit Plan annuities by the amount of dependency and indemnity compensation and to modify the effective date for paid-up coverage under the Survivor Benefit Plan. **Pages 25386, 25400**

Reid Amendment No. 2441, to provide that veterans with service-connected disabilities rated as total by virtue of unemployability shall be covered by the termination of the phase-in of concurrent receipt of retired pay and veterans disability compensation for military retirees. **Page 25403**

By a unanimous vote of 97 yeas (Vote No. 310), Byrd Modified Amendment No. 2442, to provide for a report on the establishment of a Deputy Secretary of Defense for Management. **Pages 25397, 25407**

Inhofe Modified Amendment No. 2432, relating to the partnership security capacity of foreign military and security forces and security and stabilization assistance. **Pages 25387, 25409**

Warner (for Craig) Amendment No. 1473, to improve the availability to survivors of military decedents of information on the benefits and assistance available through the Federal Government. **Page 25412**

Warner (for Obama) Modified Amendment No. 1362, to require a report on the Department of Defense Composite Health Care System II. **Page 25412**

Warner (for DeWine) Amendment No. 1356, to authorize the United States Air Force Institute of Technology to receive faculty research grants for scientific, literary, and educational purposes. **Page 25412**

Warner (for Lieberman) Amendment No. 2446, to require a report on the Department of Defense response to the findings and recommendations of the Defense Science Board Task Force on High Performance Microchip Supply. **Page 25412**

Warner (for Grassley) Amendment No. 1481, to modify the authority of Army working-capital funded facilities to engage in cooperative activities with non-Army entities. **Page 25412**

Warner (for Bayh) Modified Amendment No. 1334, to provide for outreach to members of the Armed Forces and their dependents on the Servicemembers Civil Relief Act. **Page 25412**

Warner (for Hatch) Amendment No. 2447, to express the sense of the Senate regarding the investment of funds as called for in the Depot Maintenance Strategy and Master Plan of the Air Force. **Page 25412**

Warner (for Feinstein) Modified Amendment No. 1514, to authorize a land conveyance at Marine Corps Air Station, Miramar, San Diego, California. **Page 25412**

Warner (for Graham) Amendment No. 1387, to make the Savannah River National Laboratory eligible for laboratory directed research and development funding. **Page 25412**

Warner (for Conrad) Amendment No. 2448, to state the policy of the United States on the intercontinental ballistic missile force. **Page 25412**

Warner (for Graham) Modified Amendment No. 1358, to require additional recommendations in the report on the delivery of health care benefits through the military health care system. **Page 25412**

Warner (for Lieberman) Amendment No. 1434, to make available, with an offset, an additional $20,300,000 for aircraft procurement for the Army to increase the number of UH–60 Black Hawk helicopters to be procured in response to attrition from 2 helicopters to 4 helicopters. **Page 25412**

Warner (for Allard) Amendment No. 1355, to authorize a land conveyance of Air Force property, La Junta, Colorado. **Page 25412**

Warner (for Byrd) Amendment No. 1568, to require quarterly reports on audits of task or delivery order contracts and other contracts related to security and reconstruction activities in Iraq and Afghanistan and to address irregularities identified in such reports. **Page 25412**

Warner (for Lugar) Amendment No. 1407, to strike the limitation on payment of facilities charges assessed by the Department of State. **Page 25412**

Warner (for Durbin) Modified Amendment No. 1578, to require reports on significant increases in program acquisition unit costs or procurement unit costs of major defense acquisition programs. **Page 25412**

Warner (for Thune) Amendment No. 2449, to require a study on the use of the Space Radar for topographical mapping for scientific and civil purposes. **Page 25412**

Warner (for Murray) Amendment No. 2450, to amend the assistance to local educational agencies with significant enrollment changes in military dependent students due to force structure changes, troop relocations, creation of new units, and realignment under BRAC. **Page 25412**

Warner (for Chambliss) Amendment No. 2451, to authorize pilot projects to encourage pediatric early literacy among children of members of the Armed Forces. **Page 25412**

Warner (for Nelson (NE)) Amendment No. 2452, to require the Secretary of Defense to establish a uniform policy for the Armed Forces on parental leave and similar leave. **Page 25412**

Warner (for McCain) Modified Amendment No. 1555, to regulate management contracts, require an Analysis of Alternatives for major acquisitions of the Department of Defense and impose additional limitations on certain leases and charters. **Page 25412**

Warner (for Akaka/Hatch) Modified Amendment No. 1404, to require a pilot program on enhanced quality of life for members of the Army Reserve and their families. **Page 25412**

Warner (for Lott) Amendment No. 2453, to make available $80,000,000 for coproduction of the Arrow ballistic missile defense system. **Page 25412**

Warner (for Biden) Modified Amendment No. 1448, to ensure a response to medical needs arising from mandatory military vaccinations. **Page 25412**

Warner (for McCain) Amendment No. 2454, relating to the acquisition strategy of the Department of Defense for commercial satellite communication services. **Page 25412**

Warner (for Boxer) Modified Amendment No. 1519, to provide for a Department of Defense task force on mental health. **Page 25412**

Warner (for Hutchison/Mikulski) Amendment No. 1478, to make oral and maxillofacial surgeons eligible for incentive special pay payable to medical officers of the Armed Forces. **Page 25412**

Warner (for Reed/Rockefeller) Amendment No. 2455, to require a report on nonstrategic nuclear weapons. **Page 25412**

Warner (for Dole) Amendment No. 2456, to provide for mental health counselors under TRICARE. **Page 25412**

Warner (for Obama) Modified Amendment No. 1453, to ensure the protection of military and civilian personnel in the Department of Defense from an influenza pandemic, including an avian influenza pandemic. **Page 25412**

Warner Amendment No. 2457, to clarify certain authorities relating to the Commission on the National Guard and Reserves. **Page 25412**

Warner (for Landrieu) Modified Amendment No. 1451, to require screenings of members of the Armed Forces for Post Traumatic Stress Disorder and other mental health conditions. **Page 25412**

Warner (for McCain) Amendment No. 2458, to enhance various authorities to assist the recruitment efforts of the Armed Forces. **Page 25412**

Warner (for Feingold) Amendment No. 1367, to make permanent the authority to provide travel and transportation allowances for dependents to visit hospitalized members injured in combat operation or combat zone with funding provided out of existing funds through a reduction in nonessential civilian travel. **Page 25412**

Warner (for Voinovich/DeWine) Modified Amendment No. 1574, to require a report on the development of a second source for tire production and supply for the Stryker combat vehicle. **Page 25412**

Warner (for Sarbanes/Mikulski) Amendment No. 1445, to grant a Federal charter to Korean War Veterans Association, Incorporated. **Page 25412**

Warner Amendment No. 2459, to require guidelines on the use of tiered evaluations for offers for contracts and task orders under contracts. **Page 25412**

Warner (for Clinton/Collins) Amendment No. 2460, to provide for consumer education on insurance and other financial services for members of the Armed Forces and their spouses. **Page 25412**

Warner (for Snowe) Amendment No. 2461, to authorize funding for a human resources benefit call center for the Navy. **Page 25412**

Warner (for Kerry) Amendment No. 1502, to make permanent the extension of the period of temporary continuation of basic allowance for housing for dependents of members of the Armed Forces who die on active duty. **Page 25412**

Warner (for Vitter) Amendment No. 2462, to provide for Congressional notification of cancellation of major automated information systems. **Page 25412**

Warner (for Leahy/Bond) Amendment No. 1424, relating to the basic allowance for housing for members of the Reserves. **Page 25412**

Warner (for Alexander) Modified Amendment No. 1341, to require a report on the use of ground source heat pumps at Department of Defense facilities. **Page 25412**

Warner (for Levin) Amendment No. 1495, to provide that the governments of Indian tribes be treated as State and local governments for purposes of the disposition of real property recommended for closure in the report to the President from the Defense Base Closure and Realignment Commission, July 1993. **Page 25412**

Warner (for Chambliss/Isakson) Amendment No. 2463, to provide that, of the amount authorized to be appropriated to the Department of the Army for military construction projects at Fort Gillem, Georgia, $4,550,000 is available for the construction of a military police complex at Fort Gordon, Georgia. **Page 25412**

Warner (for Conrad) Modified Amendment No. 1548, to increase, with an offset, amounts available for the procurement of Predator unmanned aerial vehicles. **Page 25412**

Warner Modified Amendment No. 1563, to authorize the Secretary of the Navy to lease United States Navy Museum facilities at Washington Naval Yard, District of Columbia, to the Naval Historical Foundation. **Page 25412**

Warner (for Bayh) Amendment No. 2464, to increase by $360,800,000 the amount of supplemental appropriations for Other Procurement, Army, for the procurement of armored Tactical Wheeled Vehicles for units deployed in Iraq and Afghanistan or for other Army priorities, and to provide an offset. **Page 25412**

Warner (for Dole) Modified Amendment No. 1526, to express the sense of the Senate on the need for community impact assistance related to the construction by the Navy of an outlying landing field in North Carolina. **Page 25412**

Warner (for Dayton) Modified Amendment No. 1515, to make available an additional $60,000,000 for operation and maintenance, Defense-wide, for certain child and family assistance benefits for members of the Armed Forces. **Page 25412**

Warner (for Inhofe) Modified Amendment No. 1388, to provide for the establishment of the USS *Oklahoma* Memorial. **Page 25412**

Warner (for Harkin/Grassley) Modified Amendment No. 1463, to authorize a land conveyance at Iowa Army Ammunition Plant, Middletown, Iowa. **Page 25412**

Warner Amendment No. 2465, to make available, with an offset, $10,000,000 for the pilot projects on early diagnosis and treatment of Post Traumatic Stress Disorder and other mental health conditions. **Page 25412**

Warner (for Durbin) Modified Amendment No. 1428, to strengthen civil-military relationships by permitting State and local governments to enter into lease purchase agreements with the United States Armed Forces. **Page 25412**

Warner (for Graham/Nelson (NE) Amendment No. 2466, to improve recruitment and retention in the Armed Forces. **Page 25412**

Warner (for Dodd) Amendment No. 2467, to improve the authority for reimbursement for protective, safety, and health equipment purchased for members of the Armed Forces deployed in Iraq and Central Asia. **Page 25412**

Warner (for Dole) Amendment No. 2468, to require a report on predatory lending directed at members of the Armed Forces and their dependents. **Page 25412**

Warner (for Carper) Amendment No. 2469, to authorize $1,440,000 in planning and design funds for a replacement C–130 aircraft maintenance hangar at Air National Guard New Castle County Airport, and to provide an offset. Page 25412

Warner (for Santorum) Amendment No. 2470, expressing the sense of the Senate on notice to Congress of the recognition of members of the Armed Forces for extraordinary acts of heroism, bravery, and achievement. Page 25412

Warner (for Feingold) Amendment No. 2471, to improve transitional assistance provided for members of the Armed Forces being discharged, released from active duty, or retired. Page 25412

Rejected:

By 44 yeas to 54 nays (Vote No. 306), Harkin/Dorgan Amendment No. 2438, relating to the American Forces Network. Pages 25387, 25389, 25393

By 36 yeas to 62 nays (Vote No. 308), Snowe Modified Amendment No. 2436, to require the Secretary of Defense, subject to a national security exception, to offer to transfer to local redevelopment authorities for no consideration real property and personal property located at military installations that are closed or realigned as part of the 2005 round of defense base closure and realignment, and to clarify that the requirement does not affect certain property interests. Pages 25387, 25404

By 43 yeas to 55 nays (Vote No. 309), Levin Amendment No. 2430, to establish a national commission on policies and practices on the treatment of detainees since September 11, 2001. Pages 25386, 25405

By 37 yeas to 60 nays (Vote No. 311), Reed (for Levin/Reed) Amendment No. 2427, to make available, with an offset, an additional $50,000,000 for Operation and Maintenance for Cooperative Threat Reduction. Pages 25386, 25392, 25408

Pending:

Chambliss Amendment No. 2433, to reduce the eligibility age for receipt of non-regular military service retired pay for members of the Ready Reserve in active federal status or on active duty for significant periods. Page 25387

Ensign Amendment No. 2443, to restate United States policy on the use of riot control agents by members of the Armed Forces. Page 25410

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m. on Wednesday, November 9, 2005. Page 25469

Iran Nonproliferation Amendments Act: Senate concurred in the amendments of the House of Representatives to S. 1713, to make amendments to the Iran Nonproliferation Act of 2000 related to International Space Station payments, clearing the measure for the President. Page 25467

Executive Reports of Committee: Senate received the following executive report from the Committee on Foreign Relations:

Agreement with Canada on Pacific Hake/Whiting (Treaty Doc. 108–24) (Ex. Rept. 109–5). Page 25442

Nominations Received: Senate received the following nominations:

3 Army nominations in the rank of general. Page 25469

Messages From the House: Page 25441

Measures Placed on Calendar: Page 25441

Executive Communications: Page 25441

Executive Reports of Committees: Page 25442

Additional Cosponsors: Page 25442

Statements on Introduced Bills/Resolutions: Page 25444

Additional Statements: Page 25439

Amendments Submitted: Page 25451

Authorities for Committees to Meet: Page 25465

Privileges of the Floor: Page 25466

Record Votes: Seven record votes were taken today. (Total—311) Pages 25396–97, 25403, 25405, 25407–09

Adjournment: Senate convened at 9:45 a.m., and adjourned at 7:43 p.m., until 9:30 a.m., on Wednesday, November 9, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 25469.)

Committee Meetings

PAWS

Committee on Agriculture, Nutrition, and Forestry: Subcommittee on Research, Nutrition, and General Legislation concluded a hearing to examine S. 1139, to amend the Animal Welfare Act to strengthen the ability of the Secretary of Agriculture to regulate the pet industry, entitled "Pet Animal Welfare Statute" (PAWS), after receiving testimony from Norma Worley, Maine Department of Agriculture, Food, and Rural Resources, Augusta; Ronald Menaker, American Kennel Club, New York, New York; Henry E. Childers, Cranston, Rhode Island, on behalf of the American Veterinary Medical Association; Michael Maddox, Pet Industry Joint Advisory Council, Wayne Pacelle, Humane Society of the United States, and Sara Amundson, Doris Day Animal League, all of Washington, D.C.; and John E. Hoffman, Flintridge, California.

ENVIRONMENTAL LAWS: CONTRACTOR LIABILITY

Committee on Environment and Public Works: Subcommittee on Superfund and Waste Management concluded an oversight hearing to examine the impact of certain government contractor liability proposals on environmental laws, after receiving testimony from Major General Don T.

Riley, Director, Civil Works, U.S. Army Corps of Engineers; Anthony Zelenka, Bertucci Contracting Corporation, Jefferson, Louisiana; Beverly Wright, Dillard University Deep South Center for Environmental Justice, New Orleans, Louisiana, on behalf of the National Black Environmental Justice Network; Warren Perkins, Boh Bros. Construction Company, Baton Rouge, Louisiana; Michael Feigin, Bovis Lend Lease, and Joel Shufro, New York Committee for Occupational Safety and Health, both of New York, New York; Craig S. King, Arent Fox, and Steven L. Schooner, George Washington University Law School, both of Washington, D.C.; and Paul Becker, Willis, Nashville, Tennessee.

KOSOVO

Committee on Foreign Relations: Committee concluded a hearing to examine the future of Kosovo and the American role in bringing stability to Southeastern Europe, after receiving testimony from R. Nicholas Burns, Under Secretary of State for Political Affairs; and Richard C. Holbrooke, Perseus, LLC, New York, New York.

NOMINATION

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Alejandro Daniel Wolff, of California, to be the U.S. Deputy Representative to the United Nations, with the rank and status of Ambassador, and the U.S. Deputy Representative in the Security Council of the United Nations, and to be U.S. Representative to the Sessions of the General Assembly of the United Nations, during his tenure of service as U.S. Deputy Representative to the United Nations, after the nominee testified and answered questions in his own behalf.

SAUDI ARABIA

Committee on the Judiciary: Committee held a hearing to examine United States-Saudi Arabia relations relating to the war on terror, focusing on collective efforts to combat terrorism since the terrorist attacks in Riyahd, Saudi Arabia in May 2003, and the Saudi Arabian Monetary Authority regulation of the financial sector, receiving testimony from Daniel L. Glaser, Deputy Assistant Secretary of the Treasury, Office of Terrorist Financing and Financial Crimes; Anthony H. Cordesman, Center for Strategic and International Studies, Nina Shea, Center for Religious Freedom, and Steven Emerson, Investigative Project on Terrorism, all of Washington, D.C.; and Gulam Bakali, Islamic Association of North Texas, Richardson.

Hearing recessed subject to the call.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Carol E. Dinkins, of Texas, to be Chairman, who was introduced by Senators Hutchison and Cornyn, and Alan Charles Raul, of the District of Columbia, to be Vice Chairman, both of the Privacy and Civil Liberties Oversight Board, after the nominees testified and answered questions in their own behalf.

HURRICANE RESPONSE FOR SMALL BUSINESS

Committee on Small Business and Entrepreneurship: Committee concluded hearings to examine strengthening hurricane recovery efforts for small businesses, focusing on preliminary observations on contracting for hurricane response and recovery efforts, after receiving testimony from Representative Bennie Thompson; Hector V. Barreto, Administrator, Small Business Administration; Major General Ronald L. Johnson, Deputy Commander, U.S. Army Corps of Engineers, Department of the Army; Gregory D. Rothwell, Chief Procurement Officer, Department of Homeland Security; David E. Cooper, Director, Acquisition and Sourcing Management, Government Accountability Office; and Walter Isaacson, Louisiana Recovery Authority, Baton Rouge.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 12 public bills, H.R. 4248–4259; 1 private bill, H.R. 4260; and 2 resolutions, H. Con. Res. 293 and H. Res. 541, were introduced. **Page 25373**

Additional Cosponsors: **Page 25373**

Reports Filed: Reports were filed today as follows:

H. Res. 538, waiving points of order against the conference report to accompany H.R. 2862, making appropriations for the Departments of Commerce and Justice, Science, and related agencies, for the fiscal year ending September 30, 2006 (H. Rept. 109–277);

H. Res. 539, waiving points of order against the conference report to accompany H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006 (H. Rept. 109–278);

H. Res. 540, providing for consideration of H.R. 1751, to amend title 18, United States Code, to protect judges, prosecutors, witnesses, victims, and their family members (H. Rept. 109–279); and

H.R. 1630, to authorize appropriations for the benefit of Amtrak for fiscal years 2006 through 2008 (H. Rept. 109–280). **Page 25372**

Speaker: Read a letter from the Speaker wherein he appointed Representative Sodrel to act as Speaker pro tempore for today. **Page 25297**

Recess: The House recessed at 9:07 a.m. and reconvened at 10 a.m. **Page 25297**

Chaplain: The prayer was offered today by Rev. Griffin Lotson, Sams Memorial Church of God in Christ, Darien, Georgia. **Page 25298**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Expressing support for the accession of Israel to the Organisation for Economic Co-operation and Development (OECD): H. Res. 38, amended, to express support for the accession of Israel to the Organisation for Economic Co-operation and Development (OECD), by a yea-and-nay vote of 391 yeas with none voting "nay", Roll No. 574; **Pages 25301, 25323**

Agreed to amend the title so as to read: "Resolution expressing support for the accession of Israel to the Organisation for Economic Co-operation and Development (OECD).". **Page 25324**

Recognizing and commending the continuing dedication and commitment of employers of the members of the National Guard and the other reserve components who have been mobilized during the Global War on Terrorism and in defense of the United States: H. Res. 302, amended, to recognize and commend the continuing dedication and commitment of employers of the members of the National Guard and the other reserve components who have been mobilized during the Global War on Terrorism and in defense of the United States, by a yea-and-nay vote of 395 yeas with none voting "nay", Roll No. 575; **Pages 25306, 25324**

Grant W. Green Post Office Building Designation Act: H.R. 3770, to designate the facility of the United States Postal Service located at 205 West Washington Street in Knox, Indiana, as the "Grant W. Green Post Office Building", by a yea-and-nay vote of 393 yeas to 1 nay, Roll No. 576; **Pages 25312, 25325**

Clayton J. Smith Memorial Post Office Building Designation Act: H.R. 3825, to designate the facility of the United States Postal Service located at 770 Trumbull Drive in Pittsburgh, Pennsylvania, as the "Clayton J. Smith Memorial Post Office Building"; and **Page 25313**

Lillian Kinkella Keil Post Office Designation Act: H.R. 4053, to designate the facility of the United States Postal Service located at 545 North Rimsdale Avenue in Covina, California, as the "Lillian Kinkella Keil Post Office". **Page 25314**

Suspensions—Proceedings Postponed: The House began consideration of the following measures under suspension of the rules. Further consideration will be announced at a later date.

San Francisco Old Mint Commemorative Coin Act: H.R. 1953, to require the Secretary of the Treasury to mint coins in commemoration of the Old Mint at San Francisco, otherwise known as the "Granite Lady"; and **Page 25303**

Fair Access Foster Care Act of 2005: S. 1894, to amend part E of title IV of the Social Security Act to provide for the making of foster care maintenance payments to private for-profit agencies. **Page 25315**

Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia and Independent Agencies Appropriations Act, 2006—Motion to go to Conference: The House disagreed to the Senate amendment and agreed to a conference on H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006. **Page 25320**

The House agreed to the Olver motion to instruct conferees by voice vote after agreeing to order the previous question. **Page 25320**

The Chair appointed conferees: Messrs. Knollenberg, Wolf, Rogers of Kentucky, Tiahrt, Mrs. Northup, Messrs. Aderholt, Sweeney, Culberson, Regula, Lewis of California, Olver, Hoyer, Pastor, Ms. Kilpatrick of Michigan, Messrs. Clyburn, Rothman, and Obey. **Page 25321**

Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2006—Motion to go to Conference: The House disagreed to the Senate amendment and agreed to a conference on H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006. **Page 25322**

Tabling the Appeal of the Ruling of the Chair on Motion to Instruct Conferees on H.R. 3010: Agreed to table the Obey motion to appeal the ruling of the Chair by a yea-and-nay vote of 218 yeas to 173 nays, Roll No. 573. **Page 25323**

Later, the Chair appointed conferees: Messrs. Regula, Istook, Wicker, Mrs. Northup, Mr. Cunningham, Ms. Granger, Messrs. Peterson of Pennsylvania, Sherwood, Weldon of Florida, Walsh, Lewis of California, Obey, Hoyer, Mrs. Lowey, Ms. DeLauro, Messrs. Jackson of Illinois, Kennedy of Rhode Island, and Ms. Roybal-Allard. **Page 25326**

Amendments: Amendments ordered printed pursuant to the rule appear on page 25374.

Quorum Calls—Votes: Four yea-and-nay votes developed during the proceedings of the House today, and appear on pages 25323–25. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 7:58 p.m.

Committee Meetings

NATIONAL PANDEMIC FLU PREPAREDNESS PLAN ASSESSMENT

Committee on Energy and Commerce: Held a hearing entitled "Assessing the National Pandemic Flu Preparedness Plan." Testimony was heard from Michael O. Levitt, Secretary of Health and Human Services.

HOMELAND SECURITY INFORMATION SHARING—FEDERAL SUPPORT

Committee on Homeland Security: Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment held a hearing entitled "Federal Support for Homeland Security Information Sharing: The Role of the Information Sharing Program Manager." Testimony was heard from John Russack, Information Sharing Program Manager, Office of the Director of National Intelligence; former Representative Lee Hamilton, State of Indiana; and a public witness.

OVERSIGHT—VOTING RIGHTS ACT

Committee on the Judiciary: Subcommittee on the Constitution held an oversight hearing on The Voting Rights Act: Section 203—Bilingual Election Requirements, Part I. Testimony was heard from Brad Schlozman, Acting Assistant Attorney General, Civil Rights Division, Department of Justice; Rebecca Vigil-Giron, Secretary of State, New Mexico; and public witnesses.

COASTAL BARRIER RESOURCES REAUTHORIZATION ACT OF 2005

Committee on Resources: Subcommittee on Fisheries and Oceans held a hearing on H.R. 3552, Coastal Barrier Resources Reauthorization Act of 2005. Testimony was heard from Benjamin Tuggle, Acting Special Assistant to the Director U.S. Fish and Wildlife Service, Department of the Interior; and public witnesses.

CONFERENCE REPORT—ENERGY AND WATER DEVELOPMENT APPROPRIATIONS FISCAL YEAR 2006

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Representatives Hobson and Visclosky.

CONFERENCE REPORT—SCIENCE, THE DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, AND RELATED AGENCIES APPROPRIATIONS FISCAL YEAR 2006

Committee on Rules: Granted by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Representatives Wolf and Mollohan.

SECURE ACCESS TO JUSTICE AND COURT PROTECTION ACT OF 2005

Committee on Rules: Granted, by voice vote, a structured rule providing one hour of general debate on H.R. 1751, Secure Access to Justice and Court Protection Act of 2005, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the committee amendment in the nature of a substitute. The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. The rule provides that the amendments made in order may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendment printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Sensenbrenner and Representatives King of Iowa, Gohmert, Jackson-Lee of Texas, McCarthy, and Cuellar.

SMALL BUSINESS INNOVATION RESEARCH PROGRAM

Committee on Small Business: Subcommittee on Workforce, Empowerment, and Government Programs held a hearing entitled "The Small Business Innovation Research Program—Open Doors to New Technology." Testimony was heard from Calvin Jenkins, Acting Associate Deputy Administrator, Government Contracting and Business Development, SBA; Frank Ramos, Director, Office of Small and Disadvantaged Business, Office of the Secretary, Department of Defense; James Decker, Principal Deputy Director, Office of Science, Department of Energy; Norka Ruiz Bravo, M.D., Deputy Director, Extramural Research, NIH, Department of Health and Human Services; Colien Hefferan, Administrator, Cooperative State Research, Education and Extension Service, USDA; and Joseph Hennessey, Senior Advisor, Industrial Innovation Program, Small Business Innovation Research, NSF.

Wednesday, November 9, 2005

Senate

Chamber Action

Routine Proceedings, pages 25483–25561

Measures Introduced: Eleven bills and two resolutions were introduced, as follows: S. 1978–1988, and S. Con. Res. 63–64. **Page 25538**

Measures Passed:

Korea Oil Stockpile: Senate passed S. 1988, to authorize the transfer of items in the War Reserves Stockpile for Allies, Korea. **Page 25561**

Department of Defense Authorization: Senate continued consideration of S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, taking action on the following amendments proposed thereto: **Page 25490**

Adopted:

By a unanimous vote of 99 yeas (Vote No. 312), Inhofe Modified Amendment No. 2440, to ensure by law the ability of the military service academies to include the offering of a voluntary, non-denominational prayer as an element of their activities. **Pages 25491, 25498, 25507**

By 98 yeas to 1 nay (Vote No. 313), Ensign Amendment No. 2443, to restate United States policy on the use of riot control agents by members of the Armed Forces. **Pages 25491, 25499, 25507**

Durbin (for Bayh/Durbin) Amendment No. 2483, to provide income replacement payments for certain Reserves experiencing extended and frequent mobilization for active duty service. **Page 25509**

By a unanimous vote of 99 yeas (Vote No. 314), Chambliss Amendment No. 2433, to reduce the eligibility age for receipt of non-regular military service retired pay for members of the Ready Reserve in active federal status or an active duty for significant periods. **Pages 25490, 25500, 25504, 25515**

Warner Amendment No. 2499 (to Amendment No. 1396 (previously agreed to)), to make a technical correction. **Page 25520**

Warner (for McCain) Amendment No. 1438, to redesignate the Naval Reserve as the Navy Reserve. **Page 25520**

Warner Amendment No. 2500, to extend by one year the date of the final report of the advisory panel on laws and regulations on acquisition practices and to require an interim report. **Page 25520**

Warner/Leahy Amendment No. 1562, to designate the annex to the E. Barrett Prettyman Federal Building and United States Courthouse located at 333 Constitution Avenue Northwest in the District of Columbia as the "William B. Bryant Annex". **Page 25520**

Warner (for Feinstein/Hagel) Amendment No. 1410, to express the sense of Congress concerning actions to support the Nuclear Non-Proliferation Treaty. **Page 25520**

Warner (for Martinez) Amendment No. 1885, to authorize the Secretary of the Navy to provide for welfare of Special Category Residents at Naval Station Guantanamo Bay, Cuba. **Page 25520**

Warner (for Nelson (FL)) Amendment No. 2501, to express the sense of the Senate on National Defense Appropriations Act Fiscal Year 2006. **Page 25520**

Warner Modified Amendment No. 1567, to modify the exclusion from officer distribution and strength limitations of officers serving in intelligence community positions. **Page 25520**

Warner Modified Amendment No. 1560, to increase by $1,500,000 the amount authorized to be appropriated to the Navy for research within the High-Brightness Electron Source program, and to provide an offset. **Page 25520**

Warner Modified Amendment No. 1559, to increase by $1,000,000 the amount authorized to be appropriated to the Army for research, development, test, and evaluation, to be available for research on and facilitation of technology for converting obsolete chemical munitions to fertilizer, and to provide an offset. **Page 25520**

Warner (for Domenici/Graham) Amendment No. 1543, to authorize the Secretary of Energy to carry out certain new plant projects for defense nuclear nonproliferation activities. **Page 25520**

Warner/Levin Amendment No. 2502, to modify the designation of facilities and resources constituting the Major Range and Test Facility Base. **Page 25520**

Warner (for Vitter) Amendment No. 1471, to require a study on the deployment of members of the National Guard and Reserves in the global war on terrorism. **Page 25520**

Warner (for Allard/Salazar) Amendment No. 2503, to authorize the Secretary of Energy to purchase certain essential mineral rights and resolve natural resource damage liability claims. **Page 25520**

Warner (for Santorum) Modified Amendment No. 1329, to authorize, with an offset, an additional $1,000,000 for procurement for the Marine Corps for General Property for Field Medical Equipment for the Rapid Intravenous (IV) Infusion Pump. **Page 25520**

Warner (for Roberts) Amendment No. 2504, to authorize, with an offset, an additional $4,000,000 for research, development, test, and evaluation for the Air Force for Aging Military Aircraft Fleet Support. **Page 25520**

Warner (for Inouye) Amendment No. 2505, to make United States nationals eligible for appointment to the Senior Reserve Officers' Training Corps. **Page 25520**

Warner (for Hutchison) Amendment No. 2506, to require a report on cooperation between the Department of Defense and the National Aeronautics and Space Administration on research, development, test, and evaluation activities. **Page 25520**

Warner (for Santorum) Amendment No. 2484, to authorize, with an offset, an additional $1,000,000 for research, development, test, and evaluation for the Army for Warhead/Grenade Scientific Based Manufacturing Technology. **Page 25520**

Warner (for Reed) Modified Amendment No. 1316, to authorize, with an offset, an additional $5,000,000 for research, development, test, and evaluation for the Army for the Joint Service Small Arms Program. **Page 25520**

Warner (for Akaka) Amendment No. 2485, to establish the National Foreign Language Coordination Council to develop and implement a foreign language strategy.. **Page 25520**

Warner (for Ensign) Amendment No. 2486, to provide, with an offset, an additional $16,000,000 for Operation and Maintenance, Army, for the Point of Maintenance/Arsenal/Depot AIT Initiative. **Page 25520**

Warner (for Ensign) Amendment No. 2487, to provide, with an offset, an additional $4,500,000 for Operation and Maintenance, Army, for procurement of the RI–2200 and RI–2400 Long Arm High-Intensity Arc Metal Halide Handheld Searchlight. **Page 25520**

Warner (for Coleman) Amendment No. 2488, to support the acquisition of foreign language skills among participants in the Reserve Officers' Training Corps. **Page 25520**

Warner (for Bingaman/Domenici) Amendment No. 2489, to make available, with an offset, $3,000,000 for Research, Development, Test, and Evaluation, Air Force, for assurance for the Field Programmable Gate Array. **Page 25520**

Warner (for Domenici/Bingaman) Modified Amendment No. 1544, to authorize, with an offset, an additional $6,000,000 for Research, Development, Test, and Evaluation, Navy, for research and development on Long Wavelength Array low frequency radio astronomy instruments. **Page 25520**

Warner Amendment No. 2491, to delay until September 30, 2007, the limitation on the procurement by the Department of Defense of systems that are not equipped with the Global Positioning System. **Page 25520**

Warner (for Kennedy) Amendment No. 2492, to make available, with an offset, additional amounts for defense basic research programs. **Page 25520**

Warner (for Clinton/Kennedy) Amendment No. 1444, to ensure that any reimbursement for services is retained for fire protection activity. **Page 25520**

Warner (for DeWine) Amendment No. 1534, to permit the Department of Defense and other Federal agencies to enter into reciprocal agreements with fire organizations for emergency medical services, hazardous material containment, and other emergency services. **Page 25520**

Warner Amendment No. 2493, to improve the provision relating to clarification of authority of military legal assistance counsel. **Page 25520**

Warner (for Thomas/Enzi) Modified Amendment No. 1469, to renew the moratorium on the return of veterans memorial objects to foreign nations without specific authorization in law. **Page 25520**

Warner (for Byrd) Amendment No. 2494, to provide an education loan repayment program for chaplains in the Selected Reserve. **Page 25520**

Warner (for Dodd/Kennedy) Amendment No. 2495, to modify and improve the National Call to Service program. **Page 25520**

Warner (for Santorum) Amendment No. 2496, to provide for the policy of the Department of Defense on the recruitment and enlistment of home schooled individuals in the Armed Forces. **Page 25520**

Warner (for Feingold) Modified Amendment No. 1550, to improve national security through the establishment of a Civilian Linguist Reserve Corps Pilot Project within the Department of Defense comprised of citizens fluent in foreign languages who would be available to provide translation services and related duties, as needed. **Page 25520**

Warner (for Kerry) Amendment No. 2497, to make available, with an offset, $10,000,000 for Project Sheriff. **Page 25520**

Warner (for Allard) Modified Amendment 1382, to require a report on the aircraft of the Army to perform the High-altitude Aviation Training Site of the Army National Guard. **Page 25520**

Warner (for Levin) Amendment No. 2498, to make available, with an offset, an additional $5,000,000 for Research, Development, Test, and Evaluation, Army, for Medium Tactical Vehicle Modifications. **Page 25520**

Warner (for Salazar) Amendment No. 2490, to provide for Department of Defense support of certain Paralympic sporting events. **Page 25520**

Rejected:

By 40 yeas to 59 nays (Vote No. 315), Levin (for Durbin) Modified Amendment No. 2473, to provide for eligibility for retired pay for non-regular service. **Pages 25504, 25517**

Pending:

Dorgan Amendment No. 2476, to establish a special committee of the Senate to investigate the awarding and carrying out of contracts to conduct activities in Afghanistan and Iraq and to fight the war on terrorism. **Pages 25501, 25505**

Lautenberg Amendment No. 2478, to prohibit individuals who knowingly engage in certain violations relating to the handling of classified information from holding a security clearance. **Pages 25506, 25520**

Talent Amendment No. 2477, to modify the multiyear procurement authority for C–17 aircraft. **Page 25517**

During consideration of this measure today, Senate also took the following action:

Warner Modified Amendment No. 1563, to authorize the Secretary of the Navy to lease United States Navy Museum facilities at Washington Naval Yard, District of Columbia, to the Naval Historical Foundation, previously agreed to on Tuesday, November 8, 2005, was further modified by unanimous consent. **Page 25499**

Warner (for Dole) Modified Amendment No. 1526, to express the sense of the Senate on the need for community impact assistance related to the construction by the Navy of an outlying landing field in North Carolina, previously agreed to on Tuesday, November 8, 2005, was further modified by unanimous consent. **Page 25509**

A unanimous-consent-time agreement was reached providing that the time until 11:30 a.m., on Thursday, November 10, 2005, be equally divided, and that at 11:30 a.m., the Senate proceed to a vote on or in relation to Dorgan Amendment No. 2476 (listed above), to be followed by a vote on or in relation to Talent Amendment No. 2477 (listed above), with no second-degree amendments in order to the amendments prior to the votes. **Page 25526**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m. on Thursday, November 10, 2005. **Page 25561**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report relative to the continuation of the national emergency with respect to Iran which was declared in Executive Order No. 12170 on November 14, 1979; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–30) **Page 25537**

Executive Reports of Committees: Senate received the following executive report from the Committee on Foreign Relations:

Report to accompany Council of Europe Convention on Cybercrime (Treaty Doc. 108–11) (Ex. Rept. 109–6). **Page 25538**

Nominations Received: Senate received the following Nominations:

Michael Joseph Copps, of Virginia, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2005.

Deborah Taylor Tate, of Tennessee, to be a Member of the Federal Communications Commission for the remainder of the term expiring June 30, 2007.

Janet Ann Sanderson, of Arizona, to be Ambassador to the Republic of Haiti.

Carol A. Dalton, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Paul J. McNulty, of Virginia, to be Deputy Attorney General. **Page 25561**

Messages From the House: **Page 25537**

Measures Referred: **Page 25537**

Enrolled Bills Presented: **Page 25538**

Executive Communications: **Page 25538**

Executive Reports of Committees: **Page 25538**

Additional Cosponsors: **Page 25539**

Statements on Introduced Bills/Resolutions: **Page 25540**

Amendments Submitted: **Page 25549**

Notices of Hearings/Meetings: **Page 25560**

Authorities for Committees to Meet: **Page 25560**

Record Votes: Four record votes were taken today. (Total—315) **Pages 25507, 25509, 25516, 25517**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 7:33 p.m., until 9:30 a.m., on Thursday, November 10, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 25561.)

Committee Meetings

AGRICULTURAL TRANSPORTATION AND ENERGY

Committee on Agriculture, Nutrition, and Forestry: Committee concluded hearings to examine the impact of higher energy prices and the disruption of the transportation system due to the recent hurricanes on United States agriculture, focusing on the winter energy outlook and energy's role in the agricultural sector, and the status of the Mississippi River Transportation System, after receiving testimony from Keith Collins, Chief Economist, Department of Agriculture; Gerald W. Barnes, Chief, Operations, Directorate of Civil Works, U.S. Army Corps of Engineers; Howard Gruenspecht, Deputy Administrator, Energy Information Administration, Department of Energy; Daniel T. Kelley, Normal, Illinois, on behalf of the National Council of Farmer Cooperatives and the Agriculture Energy Alliance; Richard Calhoun, Cargill Incorporated, Minneapolis, Minnesota, on behalf of the National Grain and Feed Association and the North American Export Grain Association; R. Neal Elliott, American Council for an Energy-Efficient Economy, Washington, D.C.; and Ryan Niebur, Rocky Mountain Farmers Union, Burlington, Colorado, on behalf of the National Farmers Union.

DEPARTMENT OF DEFENSE ACCOUNTABILITY

Committee on Armed Services: Subcommittee on Readiness and Management Support concluded hearings to examine the Department of Defense business transformation and financial management accountability, after receiving testimony from Kenneth J. Krieg, Under Secretary of Defense for Acquisition, Technology and Logistics; Tina W. Jonas, Under Secretary of Defense (Comptroller); and Randolph C. Hite, Director of Industrial Technology, Architecture and System Issues, Government Accountability Office.

ENERGY PRICING AND PROFITS

Committee on Commerce, Science, and Transportation/Committee on Energy and Natural Resources: Committees concluded joint hearings to examine energy pricing and profits, focusing on record prices of oil, gasoline, and natural gas and factors affecting those prices, issues relating to global demand, resource development strategies and windfall profits taxes, and the effectiveness of Federal and State consumer protection laws to prevent occurrences of price gouging during supply disruptions, after receiving testimony from Deborah Platt Majoras, Chairman, Federal Trade Commission; New Jersey Attorney General Peter C. Harvey, Trenton; South Carolina Attorney General Henry McMaster, Columbia; Arizona Attorney General Terry Goddard, Phoeniz; Lee R. Raymond, Exxon Mobil Corporation, Irving, Texas; David O'Reilly, Chevron Corporation, San Ramon, California; James J. Mulva, ConocoPhillips, and John Hofmeister, Shell Oil Company, both of Houston, Texas; and Ross J. Pillari, BP America, Warrenville, Illinois.

COASTAL LOUISIANA HURRICANE PROTECTION PROJECT

Committee on Environment and Public Works: Committee concluded a hearing to examine issues regarding a comprehensive and integrated approach to meet the water resources needs of coastal Louisiana in the wake of Hurricanes Katrina and Rita, including storm and flood damage reduction, ecosystem restoration and navigation, after receiving testimony from George S. Dunlop, Principal Deputy Assistant Secretary of the Army for Civil Works; Major General Don T. Riley, Director of Civil Works, U.S. Army Corps of Engineers; Anu Mittal, Director, Natural Resources and Environment, Government Accountability Office; Windell A. Curole, South Lafourche Levee District, Galliano, Louisiana; and Peter H. Brink, National Trust for Historic Preservation, Steve Ellis, Taxpayers for Common Sense, and Scott Faber, on behalf of the Environmental Defense and the National Wildlife Federation, all of Washington, D.C.

BUSINESS MEETING

Committee on Finance: Committee met and approved recommendations relative to proposed legislation implementing the United States Bahrain Free Trade Agreement.

AVIAN INFLUENZA

Committee on Foreign Relations: Committee concluded hearings to examine the need for a response strategy to address the threat of avian influenza, focusing on measures to stop the spread of the virus in Asia and preventing a global pandemic, after receiving testimony from Andrew S. Natsios, Administrator, U.S. Agency for International Development; Paula J. Dobriansky, Under Secretary of State for Democracy and Global Affairs; Julie L. Gerberding, Director, Centers for Disease Control and Prevention, and Anthony S. Fauci, Director, National Institute of Allergy and Infectious Diseases, National Institutes of Health, both of the Department of Health and Human Services; Laurie Garrett, Council on Foreign Relations, New York, New York; and James Newcomb, Bio Economic Research Associates, Cambridge, Massachusetts.

NOMINATIONS

Committee on Foreign Relations: Committee concluded hearings to examine the nominations of Ronald L. Schlicher, of Tennessee, to be Ambassador to the Republic of Cyprus, Ross Wilson, of Maryland, to be Ambassador to the Republic of Turkey, Carol van Voorst, of Virginia, to be Ambassador to the Republic of Iceland, and Marilyn Ware, of Pennsylvania, to be Ambassador to Finland, who was introduced by Senator Specter, after the nominees testified and answered questions in their own behalf.

COAST GUARD RESPONSE TO HURRICANE KATRINA

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the Coast Guard's response to Hurricane Katrina, focusing on the Continuity of Operations Plan (COOP), preparations for catastrophic events, and communicating through satellite telephones, text messaging, and commercial e-mail accounts during disasters, after receiving testimony from Rear Admiral Robert F. Duncan, Commander, Eighth Coast Guard District, Captain Frank M. Paskewich, Commander, Coast Guard Sector New Orleans, and Captain Bruce C. Jones, Commanding Officer, Coast Guard Air Station New Orleans, all of the U.S. Coast Guard, Department of Homeland Security.

FEDERAL SECURITY CLEARANCE PROCESS

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia concluded hearings to examine the Federal security clearance process, focusing on Office of Personnel Management's plan to address the backlog of security clearance investigations, after receiving testimony from Linda M. Springer, Director, Office of Personnel Management; Clay Johnson III, Deputy Director for Management, Office of

Management and Budget; and Derek B. Stewart, Director of Military and Civilian Personnel Issues, Government Accountability Office.

CAMERAS IN THE COURTROOM

Committee on the Judiciary: Committee concluded hearings to examine the use of cameras in the courtroom, focusing on a pilot program providing for electronic media coverage of civil proceedings in certain Federal trial and appellate courts, including the U.S. Supreme Court, and related measures S. 829 and S. 1768, after receiving testimony from Senators Grassley and Schumer; Judge Diarmuid F. O'Scannlain, United States Court of Appeals for the Ninth Circuit, Portland, Oregon; Judge Jan E. DuBois, United States District Court for the Eastern District of Pennsylvania, Philadelphia; Barbara E. Bergman, National Association of Criminal Defense Lawyers, Seth D. Berlin, Levine Sullivan Koch & Schulz, Brian P. Lamb, C–SPAN Networks, and Barbara Cochran, Radio-Television News Directors Association, all of Washington, D.C.; Peter Irons, University of California at San Diego; and Henry S. Schleiff, Court TV Networks, New York, New York.

BUSINESS MEETING

Committee on the Judiciary: Subcommittee on the Constitution, Civil Rights, and Property Rights approved for full committee consideration S.J. Res. 1, proposing an amendment to the Constitution of the United States relating to marriage.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to consider pending intelligence matters.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 29 public bills, H.R. 4261–4289; 1 private bill, H.R. 4290; and 3 resolutions, H. Con. Res. 294 and H. Res. 543–544, were introduced. **Page 25679**

Additional Cosponsors: **Page 25681**

Reports Filed: Reports were filed today as follows:

H. Res. 542, providing for consideration of H.R. 4241, to provide for reconciliation pursuant to section 201(a) of the concurrent resolution on the budget for fiscal year 2006 (H. Rept. 109–281). **Page 25679**

Speaker: Read a letter from the Speaker wherein he appointed Representative Miller of Michigan to act as Speaker pro tempore for today. **Page 25562**

Chaplain: The prayer was offered today by Rev. Mac Hammond, Living Word Christian Center, Brooklyn Park, Minnesota. **Page 25562**

Energy and Water Development Appropriations Act, 2006—Conference Report: The House agreed to the conference report on H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006, by a yea-and-nay vote of 399 yeas to 17 nays, Roll No. 580. **Pages 25577, 25613**

H. Res. 539, the rule providing for consideration of the conference report, was agreed to by a yea-and-nay vote of 412 yeas to 2 nays, Roll No. 577, after agreeing to order the previous question. **Pages 25567, 25575**

Presidential Message: Read a message from the President notifying Congress of the continuation of the national emergency with respect to Iran—referred the Committee on International Relations and ordered to be printed (H. Doc. 109–68). **Page 25586**

Departments of Commerce and Justice, Science, and Related Agencies Appropriations Act, 2006—Conference Report: The House agreed to the conference report on H.R. 2862, making appropriations for the Departments of Commerce and Justice, Science, and related agencies, for the fiscal year ending September 30, 2006, by a yea-and-nay vote of 397 yeas to 19 nays, Roll No. 581. **Pages 25586, 25614**

H. Res. 538, the rule providing for consideration of the conference report, was agreed to by a yea-and-nay vote of 410 yeas with none voting "nay", Roll No. 578, after agreeing to order the previous question. **Pages 25569, 25576**

Suspensions—Proceedings Postponed: The House completed debate on the following measure under suspension of the rules. Further consideration will continue tomorrow, November 10th.

Veterans Housing and Employment Improvement Act of 2005: H.R. 3665, amended, to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide adaptive housing assistance to disabled veterans residing temporarily in housing owned by a family member and to make direct housing loans to Native American veterans. **Page 25606**

Suspensions: The House agreed to suspend the rules and pass the following measure which was debated on Tuesday, November 8th:

Fair Access Foster Care Act of 2005: S. 1894, to amend part E of title IV of the Social Security Act to provide for the making of foster care maintenance payments to private for-profit agencies, by a yea-and-nay vote of 408 yeas to 1 nay, Roll No. 582—clearing the measure for the President. **Page 25615**

USA PATRIOT Improvement and Reauthorization Act of 2005—Motion to go to Conference: The House disagreed to the Senate amendment and agreed to a conference on H.R. 3199, to extend and modify authorities needed to combat terrorism. **Page 25616**

The House agreed to the Boucher motion to instruct conferees by voice vote after agreeing to order the previous question. **Page 25616**

The Chair appointed conferees: from the Committee on the Judiciary for consideration of the House bill (except section 132) and the Senate amendment, and modifications committed to conference: Messrs. Sensenbrenner, Coble, Smith of Texas, Gallegly, Chabot, Jenkins, Conyers, Berman, Boucher, and Nadler. **Page 25623**

Provided that Mr. Scott of Virginia is appointed in lieu of Mr. Nadler for consideration of secs. 105, 109, 111–114, 120, 121, 124, 131, and title II of the House bill, and modifications committed to conference. **Page 25623**

From the Permanent Select Committee on Intelligence, for consideration of secs. 102, 103, 106, 107, 109, and 132 of the House bill, and secs. 2, 3, 6, 7, 9, and 10 of the Senate amendment, and modifications committed to conference: Mr. Hoekstra, Mrs. Wilson of New Mexico, and Ms. Harman. **Page 25623**

From the Committee on Energy and Commerce, for consideration of secs. 124 and 231 of the House bill, and modifications committed to conference: Messrs. Norwood, Shadegg, and Dingell. **Page 25623**

From the Committee on Financial Services, for consideration of sec. 117 of the House bill, and modifications committed to conference: Messrs. Oxley, Bachus, and Frank of Massachusetts. **Page 25623**

From the Committee on Homeland Security, for consideration of secs. 127–129 of the House bill, and modifications committed to conference: King of New York, Weldon of Pennsylvania, and Ms. Zoe Lofgren. **Page 25623**

Secure Access to Justice and Court Protection Act of 2005: The House passed H.R. 1751, to amend title 18, United States Code, to protect judges, prosecutors, witnesses, victims, and their family members, by a yea and nay vote of 375 yeas to 45 nays, Roll No. 585. **Page 25623**

Rejected the Higgins motion to recommit the bill to the Committee on the Judiciary with instructions to report the same back to the House forthwith with amendments, by a recorded vote of 201 ayes to 221 noes, Roll No. 584. **Pages 25640, 25641**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. **Page 25628**

Agreed to:

Sensenbrenner Manager's amendment (no. 1 printed in H. Rept. 109–279) that clarifies that the death penalty shall apply only where death results and covers only those offenders who qualify as principals in the killing. In addition, the amendment makes eligible tribal courts for court security grants. Also corrects drafting of coordination requirement between U.S. Marshals and Administrative Office of the U.S. Courts on security measures; **Page 25632**

Cuellar amendment (no. 4 printed in H. Rept. 109–279) that adds a category of preferential consideration for witness protection grants. The new category will add another tool for border prosecutors to encourage witnesses to testify against cross-border crimes; **Page 25635**

Jackson-Lee of Texas amendment (no. 5 printed in H. Rept. 109–279) that requires the Attorney General to work, through the Office of Justice Programs, to make grants to the highest State courts in States participating in the threat assessment database; **Page 25636**

Filner amendment (no. 6 printed in H. Rept. 109–279) which adds the following grant guideline for young witness assistance, "support for young witnesses who are trying to leave a criminal gang and information to prevent initial gang recruitment."; **Page 25636**

Weiner amendment (no. 7 printed in H. Rept. 109–279) that ensures that courts are authorized to apply directly to the Federal government for law enforcement grants; and **Page 25637**

King of Iowa amendment (no. 8 printed in H. Rept. 109–279) that allows any justice or judge of the United States, any judge of a court created under Article I of the United States Constitution, any bankruptcy judge, any magistrate judge, any United States Attorney, and any other officer or employee of the Department of Justice whose duties include representing the U.S. in a court of law, to carry firearms subject to training and regulation as prescribed by the Attorney General. **Page 25638**

Rejected:

Scott of Virginia amendment (no. 2 printed in H. Rept. 109–279) that sought to replace all mandatory minimum sentences with higher maximum sentences; and **Page 25633**

Scott of Virginia amendment (no. 3 printed in H. Rept. 109–279) that sought to remove the death penalty for the killing of Federally funded public safety officers (by a recorded vote of 97 ayes to 325 noes, Roll No. 583). **Pages 25634, 25639**

The amendment in the nature of a substitute, as amended, was adopted. **Page 25640**

Agreed that the Clerk be authorized to make technical and conforming changes in the engrossment of the bill to reflect the actions of the House. **Page 25643**

H. Res. 540, the rule providing for consideration of the bill was agreed to by a yea-and-nay vote of 412 yeas with none voting "nay", Roll No. 579, after agreeing to order the previous question by voice vote. **Pages 25572, 25576**

Senate Message: Message received from the Senate today appears on page 25577.

Quorum Calls—Votes: Seven yea-and-nay votes and two recorded votes developed during the proceedings today and appear on pages 25575–77, 25613–15, 25639, and 25641–42. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:50 p.m.

Committee Meetings

NATURAL GAS

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies and the Subcommittee on Energy and Water Development, and Related Agencies held a joint hearing on Natural Gas. Testimony was heard from the following officials of the Department of Energy: Guy Caruso, Director, Energy Information Administration; and David K. Garman, Under Secretary, Energy Science and Environment; P. Lynn Scarlett, Assistant Secretary, Policy, OMB, and public witnesses.

DEFENSE LOGISTICS AGENCY'S PRIME VENDOR PROGRAM

Committee on Armed Services: Held a hearing on the Defense Logistics Agency's Prime Vendor Program. Testimony was heard from the following officials of the Department of Defense: Kenneth J. Krieg, Under Secretary, Acquisition, Technology and Logistics; and VADM Keith W. Lippert, USN, Director, Defense Logistics Agency.

REGIONAL POWERS' THREATS TO U.S. INTERESTS

Committee on Armed Services: Regional Powers Panel held a hearing on regional powers' threats to the United States' interests. Testimony was heard from the following former officials of the Department of the Navy: VADM Albert H. Konetzni, Jr., USN (Ret.), former Deputy and Chief of Staff, Atlantic Fleet and former Commander Submarine Force, Pacific Fleet; and RADM James F. Sigler, USN (Ret.), former Deputy Commander-in-Chief, Pacific Fleet and Former Director, Plans and Policy, U.S. Central Command.

INTERNET PROTOCOL AND BROADBAND SERVICES

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held a hearing on a proposal to create a statutory framework for Internet Protocol and Broadband Services. Testimony was heard from public witnesses.

FINANCIAL DATA PROTECTION ACT OF 2005

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing on H.R. 3997, Financial Data Protection Act of 2005. Testimony was heard from Julie Brill, Assistant Attorney General, State of Vermont; and public witnesses.

FEDERAL EMPLOYEES APPEALS COURT

Committee on Government Reform: Subcommittee on Federal Workforce and Agency Organization held a hearing entitled "Justice Delayed Is Justice Denied: A Case for a Federal Employees Appeals Court." Testimony was heard from Neil A. McPhie, Chairman, Merit Systems Protection Board; Dale Cabaniss, Chairman, Federal Labor Relations Authority; and Cari Dominguez, Chair, EEOC; and a public witness.

RESPONDING TO CATASTROPHIC EVENTS

Committee on Homeland Security: Subcommittee on Emergency Preparedness, Science, and Technology and the Subcommittee on Terrorism, Unconventional Threats and Capabilities of the Committee on Armed Services held a joint hearing entitled "Responding to Catastrophic Events: the Role of the Military and National Guard in Disaster Response." Testimony was heard from the following officials of the Department of Homeland Security: Michael P. Jackson, Deputy Secretary; and ADM Thomas H. Collins, USCG, Commandant, U.S. Coast Guard; and the following officials of the Department of Defense: Paul McHale, Assistant Secretary, Homeland Defense; MG Richard J. Rowe, Jr., USA, Director of Operations, U.S. Northern Command; and LTG H. Steven Blum, USA, Chief, National Guard Bureau.

REQUESTING THE PRESIDENT TO PROVIDE DOCUMENTS RELATING TO WHITE HOUSE IRAQ GROUP

Committee on International Relations: Ordered adversely reported H. Res. 505, Requesting the President of the United States and directing the Secretary of State to provide to the House of Representatives certain documents in their possession relating to the White House Iraq Group.

GERMANY AFTER THE ELECTION

Committee on International Relations: Subcommittee on Europe and Emerging Threats held a hearing on Germany After the Election: Implications for Germany, Europe and U.S.-German Relations. Testimony was heard from public witnesses.

ILLICIT DRUG TRANSIT ZONE IN CENTRAL AMERICA

Committee on International Relations: Subcommittee on Western Hemisphere held a hearing on the Illicit Drug Transit Zone in Central America. Testimony was heard from RADM Jeffrey J. Hathaway, USCG, Director, Joint Interagency Task Force South, U.S. Coast Guard, Department of Homeland Security; Michael A. Braun, Chief of Operations, DEA, Department of the Judiciary; and Jonathan D. Farrar, Deputy Assistant Secretary, Bureau for International Narcotics and Law Enforcement, Department of State.

The Subcommittee also held a briefing on this subject. The Subcommittee was briefed by VADM Guillermo E. Barrera, Chief of Naval Operations, National Navy of Colombia.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Ordered reported the following bills: H.R. 3889, amended, Methamphetamine Epidermic Elimination Act of 2005; H.R. 2791, United States Patent and Trademark Fee Modernization Act of 2005; and H.R. 3729, amended, To provide emergency authority to delay or toll judicial proceedings in United States district and circuit courts.

OVERSIGHT—VOTING RIGHTS ACT

Committee on the Judiciary: Subcommittee on the Constitution held an oversight hearing on The Voting Rights Act: Section 5—Judicial Evolution of the Retrogression Standard. Testimony was heard from public witnesses.

The Subcommittee also held an oversight hearing on the Voting Rights Act: Section 203—Bilingual Election Requirements, Part II. Testimony was heard from public witnesses.

OFF-RESERVATION INDIAN GAMING

Committee on Resources: Held an oversight hearing on the Second Discussion Draft of Legislation Off-Reservation Indian Gaming. Testimony was heard from Mary Kay Papen, member, Senate, State of New Mexico; Steven J. Rauschenberger, member, Senate, State of Illinois; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Water and Power held a hearing on the following bills: H.R. 3626, Arthur V. Watkins Dam Enlargement Act of 2005; H.R. 3967, Pactola Reservoir Reallocation Authorization Act of 2005; and 4195, Southern Oregon Bureau of Reclamation Repayment Act of 2005. Testimony was heard from Jack Garner, Acting Deputy Commissioner, Bureau of Reclamation, Department of the Interior; Jim Shaw, Mayor, Rapid City, South Dakota; and a public witness.

DEFICIT REDUCTION ACT OF 2005

Committee on Rules: Granted, by voice vote, a closed rule providing two hours of debate in the House on H.R. 4241, Deficit Reduction Act of 2005, equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget. The rule waives all points of order against consideration of the bill. The rule provides that the amendment printed in the Rules Committee report accompanying the resolution shall be considered as adopted. The rule waives all points of order against provisions in the bill, as amended. The rule provides one motion to recommit with or without instructions. The rule provides that, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker. Testimony was heard from Chairman Nussle and Representatives Emerson, Moran of Kansas, Flake, Allen, and Moore of Wisconsin.

REQUESTING THE PRESIDENT TO PROVIDE DOCUMENTS ON CLIMATE CHANGE ON THE COASTAL REGIONS OF THE U.S.

Committee on Science: Ordered adversely reported H. Res. 515, Of Inquiry requesting the President of the United States to provide to the House of Representatives certain documents in his possession relating to the anticipated effects of climate change on the coastal regions of the United States.

PENSION PROTECTION ACT OF 2005

Committee on Ways and Means: Ordered reported, as amended, H.R. 2830, Pension Protection Act of 2005.

UNAUTHORIZED DISCLOSURES; PROGRESS OF THE DNI

Permanent Select Committee on Intelligence, executive, hearing entitled "Unauthorized Disclosures." Testimony was heard from departmental witnesses.

The Committee also met in executive session to hold a hearing entitled "Progress of the Director of National Intelligence." Testimony was heard from John D. Negroponte, Director of National Intelligence.

HURRICANE KATRINA—PREPAREDNESS AND RESPONSE BY STATE OF ALABAMA

Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina: Held a hearing entitled "Hurricane Katrina: Preparedness and Response by the State of Alabama." Testimony was heard from Michael Bolch, Federal Coordinating Officer, FEMA, Department of Homeland Security; and the following officials of the State of Alabama: Bob Riley, Governor; Bruce Baughman, Director, Emergency Management Agency; Jim Walker, Director, Department of Homeland Security; Walter Dickerson, Director, Mobile County Emergency Management Agency; and Leigh Anne Ryals, Director, Baldwin County Emergency Management Agency.

Joint Meetings

APPROPRIATIONS: TRANSPORTATION/TREASURY/HUD

Conferees met to resolve the differences between the Senate- and House-passed versions of H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, but did not complete action thereon, and will meet again on Thursday, November 10.

Thursday, November 10, 2005

Senate

Chamber Action

Routine Proceedings, pages 25710–25801

Measures Introduced: Thirteen bills and nine resolutions were introduced, as follows: S. 1989–2001, and S. Res. 302–310. **Page 25762**

Measures Reported:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals from the Concurrent Resolution for Fiscal Year 2006". (S. Rept. No. 109–176)

S. 1182, to amend title 38, United States Code, to improve health care for veterans, with an amendment in the nature of a substitute. (S. Rept. No. 109–177) **Page 25762**

Measures Passed:

Veterans Day 2005: Senate agreed to S. Res. 305, expressing the sense of the Senate regarding Veterans Day 2005. **Page 25785**

Recognizing Veterans Day: Senate agreed to S. Res. 306, recognizing that Veterans Day is a day to honor all veterans of the Army and to support the Army Freedom Team Salute's mission to recognize the unsung heroes who have served this country. **Page 25789**

Honoring Filipino Veterans: Senate agreed to S. Res. 307, to recognize and honor the Filipino World War II veterans for their defense of democratic ideals and their important contribution to the outcome of World War II. **Page 25790**

Year of Study Abroad: Senate agreed to S. Res. 308, designating 2006 as the "Year of Study Abroad". **Page 25790**

Sympathy for People of Jordan: Senate agreed to S. Res. 309, expressing sympathy for the people of Jordan in the aftermath of the deadly terrorist attacks in Amman on November 9, 2005. **Page 25791**

Honoring Israeli Prime Minister Yitzhak Rabin: Senate agreed to S. Res. 310, honoring the life, legacy, and example of Israeli Prime Minister Yitzhak Rabin on the tenth anniversary of his death. **Page 25792**

Nostra Aetate: Senate agreed to H. Con. Res. 260, recognizing the 40th anniversary of the Second Vatican Council's promulgation of Noestra Aetate, the declaration on the relation of the Roman Catholic Church to non-Christian religions, and the historic role of Nostra Aetate in fostering mutual interreligious respect and dialogue. **Page 25792**

National Stalking Awareness Month: Committee on the Judiciary was discharged from further consideration of S. Con. Res. 10, raising awareness and encouraging prevention of stalking by establishing January 2006 as "National Stalking Awareness Month", and the resolution was then agreed to. **Page 25793**

National Military Family Month: Committee on the Judiciary was discharged from further consideration of S. Res. 9, expressing the sense of the Senate regarding designation of the month of November as "National Military Family Month", and the resolution was then agreed to, after agreeing to the following amendment proposed thereto: **Page 25793**

Frist (for Inouye) Amendment No. 2520, to strike certain provisions. **Page 25793**

Ethics in Government Act Amendment: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of S. 1558, to amend the Ethics in Government Act of 1978 to protect family members of filers from disclosing sensitive information in a public filing and to extend for 4 years the authority to redact financial disclosure statements of judicial employees and judicial officers, and the bill was then passed, after agreeing to the following amendments proposed thereto: **Page 25793**

Frist (for Leahy) Amendment No. 2521, in the nature of a substitute. **Page 25794**

Frist (for Leahy) Amendment No. 2522, to amend the title. **Page 25794**

Protecting American Goods and Services Act: Senate passed S. 1095, to amend chapter 113 of title 18, United States Code, to clarify the prohibition on the trafficking in goods or services, after agreeing to the committee amendment in the nature of a substitute. **Page 25794**

Stop Counterfeiting in Manufactured Goods Act: Senate passed S. 1699, to amend title 18, United States Code, to provide criminal penalties for trafficking in counterfeit marks, after agreeing to the committee amendment. **Page 25796**

Department of Defense Authorization: Senate continued consideration of S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, taking action on the following amendments proposed thereto: **Pages 25717, 25731**

Adopted:

By 89 yeas to 8 nays (Vote No. 317), Talent Amendment No. 2477, to modify the multiyear procurement authority for C–17 aircraft. **Page 25723**

Roberts/Rockefeller Modified Amendment No. 2514 (to Amendment No. 2507), in the nature of a substitute. **Pages 25733, 25741**

By 82 yeas to 9 nays (Vote No. 318), Kerry Amendment No. 2507, to require reports on clandestine facilities for the detention of individuals captured in the global war on terrorism, as amended. **Pages 25725, 25731, 25742, 25745**

By division vote, Lautenberg Modified Amendment No. 2478, to prohibit individuals who knowingly engage in certain violations relating to the handling of classified information from holding a security clearance. **Pages 25741, 25746**

By 49 yeas to 42 nays (Vote No. 319), Graham Amendment No. 2516 (to Amendment No. 2515), of a perfecting nature. **Page 25747**

Rejected:

By 44 yeas to 53 nays (Vote No. 316), Dorgan Amendment No. 2476, to establish a special committee of the Senate to investigate the awarding and carrying out of contracts to conduct activities in Afghanistan and Iraq and to fight the war on terrorism. **Page 25718**

Pending:

Graham Amendment No. 2515, relating to the review of the status of detainees of the United States Government. **Page 25734**

Warner/Frist Amendment No. 2518, to clarify and recommend changes to the policy of the United States on Iraq and to require reports on certain matters relating to Iraq. **Page 25749**

Levin Amendment No. 2519, to clarify and recommend changes to the policy of the United States on Iraq and to require reports on certain matters relating to Iraq. **Pages 25749, 25755**

During consideration of this measure today, Senate also took the following action:

Warner (for Akaka) Amendment No. 2485, to establish the National Foreign Language Coordination Council to develop and implement a foreign language strategy, previously agreed to on Wednesday, November 9, 2005, was modified by unanimous consent. **Page 25751**

Warner (for Feingold) Modified Amendment No. 1550, to improve national security through the establishment of a Civilian Linguist Reserve Corps Pilot Project within the Department of Defense comprised of citizens fluent in foreign languages who would be available to provide translation services and related duties, as needed, previously agreed to on Wednesday, November 9, 2005, was further modified by unanimous consent. **Page 25752**

A unanimous-consent agreement was reached providing for consideration of certain remaining first-degree amendments to the bill, other than any managers amendments that are cleared; further, that there be three second-degree amendments in order to the Graham Amendment No. 2515 (listed above); that all amendments be offered and debated on Monday, November 14, 2005, under the previous limitations; that on Tuesday, November 15, 2005, at a time determined by the Majority Leader, after consultation with the Democratic Leader, Senate vote on, or in relation to, Warner/Frist Amendment No. 2518 (listed above), to be followed by a vote on, or in relation to, Levin Amendment No. 2519 (listed above), to be followed by votes on, or in relation to, the second-degree amendments in the order offered, to be followed by a vote on Graham Amendment No. 2515 (listed above), as amended; that following those votes the Senate vote on final passage of the bill; and that there be 30 minutes divided equally between the two managers prior to the start of the voting sequence. **Page 25748**

A unanimous-consent agreement was reached providing for further consideration of the bill at 2 p.m. on Monday, November 14, 2005. **Page 25800**

Foreign Operations Appropriations Conference Report: By a unanimous vote of 91 yeas (Vote No. 320), Senate agreed to the conference report to accompany H.R. 3057, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2006, clearing the measure for the President. **Pages 25728, 25748**

Energy and Water Appropriations Conference Report—Agreement: A unanimous-consent-time agreement was reached providing that at 4:30 p.m. on Monday, November 14, 2005, Senate will consider the conference report to accompany H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006, with one hour for debate, and at 5:30 p.m. a vote on adoption of the conference report. **Page 25800**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that during this adjournment of the Senate, the Majority Leader and Senator Allen, be authorized to sign duly enrolled bills or joint resolutions. **Page 25800**

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following treaty:

Protocol Amending the Convention with Sweden on Taxes on Income (Treaty Doc. No. 109–8).

The treaty was transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed. **Page 25785**

Nominations Confirmed: Senate confirmed the following nominations:

Donald C. Winter, of Virginia, to be Secretary of the Navy.

Anne W. Patterson, of Virginia, to be an Assistant Secretary of State (International Narcotics and Law Enforcement Affairs).

Sue Ellen Wooldridge, of Virginia, to be an Assistant Attorney General.

George J. Opfer, of Virginia, to be Inspector General, Department of Veterans Affairs.

Susan C. Schwab, of Maryland, to be a Deputy United States Trade Representative, with the rank of Ambassador. (Prior to this action, Committee on Finance was discharged from further consideration).

James M. Andrew, of Georgia, to be Administrator, Rural Utilities Service, Department of Agriculture. (Prior to this action, Committee on Agriculture, Nutrition and Forestry was discharged from further consideration).

Charles R. Christopherson, Jr., of Texas, to be Chief Financial Officer, Department of Agriculture. (Prior to this action, Committee on Agriculture, Nutrition and Forestry was discharged from further consideration).

Pages 25784, 25801

Nominations Received: Senate received the following nominations:

Robert C. Cresanti, of Texas, to be Under Secretary of Commerce for Technology.

David M. Spooner, of Virginia, to be an Assistant Secretary of Commerce.

Uttam Dhillon, of California, to be Director of the Office of Counternarcotics Enforcement, Department of Homeland Security.

Samuel A. Alito, Jr., of New Jersey, to be an Associate Justice of the Supreme Court of the United States.

Leo Maury Gordon, of New Jersey, to be a Judge of the United States Court of International Trade.

Stephen C. King, of New York, to be a Member of the Foreign Claims Settlement Commission of the United States for the term expiring September 30, 2008.

Duane Acklie, of Nebraska, to be an Alternate Representative of the United States of America to the Sixtieth Session of the General Assembly of the United Nations.

Goli Ameri, of Oregon, to be a Representative of the United States of America to the Sixtieth Session of the General Assembly of the United Nations.

Robert C. O'Brien, of California, to be an Alternate Representative of the United States of America to the Sixtieth Session of the General Assembly of the United Nations.

Donald M. Payne, of New Jersey, to be a Representative of the United States of America to the Sixtieth Session of the General Assembly of the United Nations.

Edward Randall Royce, of California, to be a Representative of the United States of America to the Sixtieth Session of the General Assembly of the United Nations.

3 Army nominations in the rank of general.

Routine lists in the Air Force, Army. **Page 25801**

Messages From the House: **Page 25761**

Measures Referred: **Page 25761**

Executive Communications: **Page 25761**

Additional Cosponsors: **Page 25763**

Statements on Introduced Bills/Resolutions: **Page 25764**

Additional Statements: **Page 25760**

Amendments Submitted: **Page 25777**

Authorities for Committees to Meet: **Page 25783**

Privileges of the Floor: **Page 25784**

Record Votes: Five record votes were taken today. (Total—320) **Pages 25723–24, 25746, 25748**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 7:56 p.m., until 2 p.m., on Monday, November 14, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 25800.)

Committee Meetings

NOMINATIONS

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine the nominations of Charles R. Christopherson, Jr., of Texas, to be Chief Financial Officer, who was introduced by Senator Crapo, and James M. Andrew, of Georgia, to be Administrator, Rural Utilities Service, both of the Department of Agriculture, after the nominees testified and answered questions in their own behalf.

NEW BASEL CAPITAL ACCORDS

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the development of New Basel Capital Accords, focusing on plans of the U.S. banking agencies to update and enhance the regulatory capital program through implementation of the International Convergence of Capital Measurement and Capital Standards, and revisions to the existing domestic risk-based capital framework for banks, after receiving testimony from John C. Dugan, Comptroller of the Currency, and John M. Reich, Director, Office of Thrift Supervision, both of the Department of the Treasury; Susan Schmidt Bies, Member, Board of Governors of the Federal Reserve System; Donald E. Powell, Chairman, Federal Deposit Insurance Corporation; Katherine G. Wyatt, New York State Banking Department, Albany; L. William Seidman, CNBC, and Daniel K. Tarullo, Georgetown University Law Center, both of Washington, D.C.; William M. Isaac, The Secura Group, New York, New York; and George G. Kaufman, Loyola University, Chicago, Illinois, on behalf of U.S. Shadow Financial Regulatory Committee.

WRIGHT AMENDMENT

Committee on Commerce, Science, and Transportation: Subcommittee on Aviation concluded a hearing to examine the impact of the Wright amendment, which restricts travel into and out of Dallas Love Field for commercial flights with more than 56 seats, after receiving testimony from Senators Inhofe and Bond; Representatives Eddie Bernice Johnson, Granger, and Hensarling; Gerard Arpey, American Airlines, Herbert D. Kelleher, Southwest Airlines, Kevin E. Cox, Dallas/Fort Worth International Airport, Sam Coats, North Dallas Chamber of Commerce, and Lori Palmer, Love Field Citizens Action Committee, all of Dallas, Texas; Brian M. Campbell, Campbell-Hill Aviation Group, Inc., Alexandria, Virginia; and William S. Swelbar, Eclat Consulting, Inc., Reston, Virginia.

WEATHER MODIFICATION RESEARCH AUTHORIZATION

Committee on Commerce, Science, and Transportation: Subcommittee on Science and Space and the Subcommittee on Disaster Prevention and Prediction concluded a joint hearing to examine S. 517, to establish a Weather Modification Operations and Research Board, after receiving testimony from Joseph H. Golden, University of Colorado Cooperative Institute for Research in the Environmental Sciences, Bolder; Michael Garstang, University of Virginia, Charlottesville, on behalf of the National Research Council; and Thomas P. DeFelice, Sykesville, Maryland.

NOMINATIONS:

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the nominations of Jeffrey D. Jarrett, of Pennsylvania, to be Assistant Secretary for Fossil Energy, and Edward F. Sproat III, of Pennsylvania, to be Director of the Office of Civilian Radioactive Waste Management, both of the Department of Energy, after the nominees testified and answered questions in their own behalf.

AIR QUALITY STANDARDS

Committee on Environment and Public Works: Subcommittee on Clean Air, Climate Change, and Nuclear Safety concluded a hearing to examine the implementation of the existing particulate matter and ozone air quality standards, focusing on the competitiveness of the United States in the area of air quality standards, after receiving testimony from William Wehrum, Acting Assistant Administrator, Office of Air and Radiation, Environmental Protection Agency; Sam Olens, Atlanta Regional Commission, Marietta, Georgia, on behalf of the Atlanta Regional Commission; James D. Werner, Delaware Department of Natural Resources and Environmental Control, Dover; and Stephen Moret, Baton Rouge Area Chamber, Baton Rouge, Louisiana.

PORNOGRAPHY

Committee on the Judiciary: Subcommittee on the Constitution, Civil Rights, and Property Rights concluded a hearing to examine the state interest in protecting children and families from pornography, after receiving testimony from Rodney A. Smolla, University of Richmond School of Law, Richmond, Virginia; Jill C. Manning, Brigham Young University, Provo, Utah, on behalf of the Heritage Foundation; Leslie Harris, Center for Democracy and Technology, Washington, D.C.; Richard R. Whidden, Jr., National Law Center for Children and Families, Fairfax, Virginia; and Pamela Paul, New York, New York.

REBUILDING VA GULF COAST FACILITIES

Committee on Veterans' Affairs: Committee concluded a hearing to examine the rebuilding of Department of Veterans Affairs' facilities on the Gulf Coast, focusing on the impact on Veterans Affairs employees, and recovery efforts of the Veterans Benefits Administration and the National Cemetery Administration, after receiving testimony from R. James Nicholson, Secretary, Jonathan B. Perlin, Under Secretary for Health, and Robert Lynch, Director, Veterans Integrated Service Network 16, all of the Department of Veterans Affairs.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 19 public bills, H.R. 4291–4309; 1 private bill, H.R. 4310; and 9 resolutions, H. Con. Res. 295–296; and H. Res. 545–551 were introduced. **Page 25707**

Additional Cosponsors: **Page 25709**

Reports Filed: Reports were filed today as follows:

H.R. 4146, to facilitate recovery from the effects of Hurricane Rita and Hurricane Wilma by providing greater flexibility for, and temporary waivers of certain requirements and fees imposed on, depository institutions, credit unions, and Federal regulatory agencies (H. Rept. 109–282);

H. Con. Res. 267, expressing the sense of the Congress upholding the Makah Tribe treaty rights, with amendments (H. Rept. 109–283);

H.R. 323, to redesignate the Ellis Island Library on the third floor of the Ellis Island Immigration Museum, located on Ellis Island in New York Harbor, as the "Bob Hope Memorial Library" (H. Rept. 109–284);

H.R. 679, to direct the Secretary of the Interior to convey a parcel of real property to Beaver County, Utah (H. Rept. 109–285);

H.R. 1096, to establish the Thomas Edison National Historical Park in the State of New Jersey as the successor to the Edison National Historic Site, with an amendment (H. Rept. 109–286);

H.R. 1436, to remove certain use restrictions on property located in Navajo County, Arizona (H. Rept. 109–287);

H.R. 1564, to authorize the Secretary of the Interior to convey certain buildings and lands of the Yakima Project, Washington, to the Yakima-Tieton Irrigation District (H. Rept. 109–288);

H.R. 1972, to direct the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of including in the National Park System certain sites in Williamson County, Tennessee, relating to the Battle of Franklin, with an amendment (H. Rept. 109–289);

H.R. 3443, to direct the Secretary of the Interior to convey certain water distribution facilities to the Northern Colorado Water Conservancy District (H. Rept. 109–290); and

H. Res. 505, requesting the President of the United States and directing the Secretary of State to provide to the House of Representatives certain documents in their possession relating to the White House Iraq Group, adversely (H. Rept. 109–291). **Page 25707**

Recess: The House recessed at 10:32 a.m. and reconvened at 4:20 p.m. **Page 25702**

Journal: Agreed to the Speaker's approval of the Journal by voice vote. **Page 25703**

Agreed by unanimous consent to vacate the request for yea and nay votes on H.R. 3665 and H.R. 1953, subsequently votes were taken by voice vote. **Page 25703**

Suspensions: The House agreed to suspend the rules and pass the following measures which were debated earlier in the Legislative week:

Veterans Housing and Employment Improvement Act of 2005: H.R. 3665, amended, to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide adaptive housing assistance to disabled veterans residing temporarily in housing owned by a family member and to make direct housing loans to Native American veterans; **Page 25703**

Agreed to amend the title so as to read: "A bill to provide adaptive housing assistance to disabled veterans residing temporarily in housing assistance to disabled veterans residing temporarily in housing owned by a family member, to make certain improvements in veterans employment assistance programs, and for other purposes."; and **Page 25703**

San Francisco Old Mint Commemorative Coin Act: H.R. 1953, to require the Secretary of the Treasury to mint coins in commemoration of the Old Mint at San Francisco, otherwise known as the "Granite Lady". **Page 25703**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 6 p.m. on Monday, November 14th, and when the House adjourns on Monday, it adjourn to meet at 10:30 a.m. on Tuesday, November 15th, for Morning Hour Debate. **Page 25704**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, November 16th. **Page 25704**

Quorum Calls—Votes: There were no Yea-and-Nay votes, and there were no Recorded votes. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 4:43 p.m.

Committee Meetings

WORKPLACE RELIGIOUS FREEDOM ACT OF 2005

Committee on Education and the Workforce: Subcommittee on Employer-Employee Relations held a hearing on H.R. 1445, Workplace Religious Freedom Act of 2005. Testimony was heard from Representatives Souder and McCarthy; and public witnesses.

RIGHT TO REPAIR

Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protections held a hearing entitled "Right to Repair: Industry Discussions and Legislative Options", Testimony was heard from James Kohm, Associate Director, Bureau of Consumer Protection, Division of Marketing Practices, FTC; and public witnesses.

OVERSIGHT—EXPORT-IMPORT BANK

Committee on Financial Services: Subcommittee on Domestic and International Monetary Policy, Trade, and Technology and the Subcommittee on Oversight and Investigations held a joint hearing entitled "Oversight of the Export-Import Bank of the United States". Testimony was heard from James H. Lambright, Chairman and Acting President, Export-Import Bank of the United States; and public witnesses.

BRIEFING—MEDICAL COUNTERMEASURES FOR NUCLEAR ATTACK

Committee on Homeland Security: Subcommittee on Prevention of Nuclear and Biological Attack met in executive session to receive a briefing on medical countermeasures for nuclear attack. The Committee was briefed by departmental witnesses.

PUBLIC DIPLOMACY—AROUND-THE-WORLD REVIEW

Committee on International Relations: Held a hearing on An Around-the-World Review of Public Diplomacy. Testimony was heard from Karen P. Hughes, Under Secretary, Public Diplomacy and Public Affairs, Department of State.

BROADCASTING BOARD OF GOVERNORS AND ALHURRA TELEVISION

Committee on International Relations: Subcommittee on Oversight and Investigations held a hearing on Broadcasting Board of Governors and Alhurra Television. Testimony was heard from Kenneth Y. Tomlinson, Chairman, Board of Broadcasting Governors; Mouafac Harb, News Director, Alhurra Television Network; and a public witness.

STREAMLINED PROCEDURES ACT

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held a hearing on H.R.

3035, Streamlined Procedures Act of 2005. Testimony was heard from Tom Dolgenos, Chief, Federal Litigation Unit, District Attorney's Office, Philadelphia, Pennsylvania; Kent Cattani, Chief Counsel, Capital Litigation Section Attorney General's Office, Phoeniz, Arizona; and public witnesses.

HOW ILLEGAL IMMIGRATION IMPACTS CONSTITUENCIES

Committee on the Judiciary: Subcommittee on Immigration, Border Security, and Claims held an oversight hearing entitled "How Illegal Immigration Impacts Constituencies: Perspectives from Members of Congress." Testimony was heard from Representatives Bonilla, Pearce and Guitierrez.

Hearings continue November 15.

FOREST EMERGENCY RECOVERY AND RESEARCH ACT

Committee on Resources: Subcommittee on Forests and Forest Health held a hearing on H.R. 4200, Forest Emergency Recovery and Research Act. Testimony was heard from Dale Bosworth, Chief, Forest Service, USDA; Lynn Scarlett, Assistant Secretary Policy, Management, and Budget, Department of the Interior; and public witnesses.

NEPA LITIGATION

Committee on Resources: NEPA Task Force held a hearing on NEPA Litigation: The Causes, Effects and Solutions. Testimony was heard from former Senator J. Bennett Johnston of Louisiana; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on National Parks held a hearing on the following bills: H.R. 413, Bleeding Kansas National Heritage Act; H.R. 452, To authorize the Secretary of the Interior to conduct a study to determine the suitability and feasibility of designating the Soldiers' Memorial Military Museum located in St. Louis, Missouri, as a unit of the National Park System; and H.R. 1307, Musconetcong Wild and Scenic Rivers Act. Testimony was heard from Representatives Ryun of Kansas, Clay and Garrett; Janet Snyder Matthews, Associate Director, Cultural Resources, National Park Service, Department of the Interior; and public witnesses.

ROLE OF SOCIAL SECURITY RESEARCH IN DISASTER PREPAREDNESS AND RESPONSE

Committee on Science: Subcommittee on Research held a hearing on the Role of Social Science Research in Disaster Preparedness and Response. Testimony was heard from public witnesses.

Joint Meetings

TRANSPORTATION/TREASURY/HUD/JUDICIARY/DC

Conferees met to resolve the differences between the Senate and House passed versions of H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, but did not complete action thereon, and recessed subject to the call.

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Monday, November 14, 2005

Senate

Chamber Action

Routine Proceedings, pages 25819–72

Measures Introduced: Six bills and one resolution were introduced, as follows: S. 2002–2007, and S. Res. 311. **Page 25866**

Department of Defense Authorization: Senate resumed consideration of S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, taking action on the following amendments proposed thereto: **Pages 25825, 25851**

Pending:

Graham Amendment No. 2515, relating to the review of the status of detainees of the United States Government. **Page 25825**

Warner/Frist Amendment No. 2518, to clarify and recommend changes to the policy of the United States on Iraq and to require reports on certain matters relating to Iraq. **Page 25825**

Levin Amendment No. 2519, to clarify and recommend changes to the policy of the United States on Iraq and to require reports on certain matters relating to Iraq. **Page 25825**

Bingaman Amendment No. 2523 (to Amendment No. 2515), to provide for judicial review of detention of enemy combatants. **Page 25825**

Graham Amendment No. 2524 (to Amendment No. 2515), in the nature of a substitute. **Page 25851**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:15 a.m. on Tuesday, November 15, 2005, with votes to occur on certain pending amendments, followed by a vote on final passage of the bill. **Page 25872**

Energy and Water Development Appropriations Conference Report: By 84 yeas to 4 nays (Vote No. 321), Senate agreed to the conference report to accompany H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006, clearing the measure for the President. **Page 25839**

Executive Reports of Committees: Senate received the following executive report from the Committee on Foreign Relations:

Report to accompany Convention Strengthening Inter-American Tuna Commission (Treaty Doc. 109–2) (Ex. Rept. 109–7). **Page 25865**

Petitions and Memorials: **Page 25863**

Executive Reports of Committees: **Page 25865**

Additional Cosponsors: **Page 25866**

Statements on Introduced Bills/Resolutions: **Page 25867**

Additional Statements: **Page 25863**

Amendments Submitted: **Page 25870**

Authorities for Committees to Meet: **Page 25871**

Privileges of the Floor: **Page 25872**

Record Votes: One record vote was taken today. (Total—321) **Page 25849**

Adjournment: Senate convened at 2 p.m., and adjourned at 8:21 p.m., until 9:45 a.m., on Tuesday, November 15, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 25872.)

Committee Meetings

ALASKA-CHUKOTKA POLAR BEAR POPULATION

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine legislation required to implement the Agreement between the Government of the United States of America and the Government of the Russian Federation on the Conservation and Management of the Alaska-Chukotka Polar Bear Population, after receiving testimony from Marshall Jones, Deputy Director, U.S. Fish and Wildlife Service, Department of the Interior; and Charles H. Johnson, Alaska Nanuuq Commission, Anchorage.

NOMINATIONS

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the nominations of J. Thomas Rosch, of California, and William E. Kovacic, of Virginia, each to be a Federal Trade Commissioner, after the nominees testified and answered questions in their own behalf.

CLIMATE CHANGE

Committee on Foreign Relations: Subcommittee on International Economic Policy, Export and Trade Promotion concluded a hearing to examine a clean technology solution relating to U.S.-International climate change approach, focusing on the Administration's goals to support improving energy security, promoting economic growth and development, reducing air pollution, mitigating greenhouse gases and eradicating poverty, after receiving testimony from Paula J. Dobriansky, Under Secretary of State for Democracy and Global Affairs; David Garman, Under Secretary of Energy for Energy, Science and Environment; James L. Connaughton, White House Council on Environmental Quality; and Eileen Claussen, Pew Center on Global Climate Change, Arlington, Virginia.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 7 public bills, H.R. 4311–4317, were introduced. **Page 25817**

Additional Cosponsors: **Page 25818**

Reports Filed: Reports were filed today as follows:

H.R. 1721, to amend the Federal Water Pollution Control Act to reauthorize programs to improve the quality of coastal recreation waters, and for other purposes (H. Rept. 109–292);

H.R. 3963, to amend the Federal Water Pollution Control Act to extend the authorization of appropriations for Long Island Sound (H. Rept. 109–293). **Page 25817**

Speaker: Read a letter from the Speaker wherein he appointed Representative Wolf to act as Speaker pro tempore for today. **Page 25816**

Chaplain: The prayer was offered today by Rev. John Bradford, Pastor, Faith Lutheran Church, Arlington, Virginia. **Page 25816**

Appointment of Conferees: The Chair appoints the following conferee on H.R. 3199:

From the Committee on the Judiciary, for consideration of the House bill (except section 132) and the Senate amendment, and modifications committed to conference: Mr. Daniel E. Lungren of California. **Page 25816**

The Chair appoints the following conferees on H.R. 3199 in lieu of their appointments on November 9, 2005:

From the Committee on the Judiciary, for consideration of the House bill (except section 132) and the Senate amendment, and modifications committed to conference: Messrs. Nadler and Scott of Virginia. **Page 25816**

Senate Message: Message received from the Senate today appears on page 25816.

Senate Referrals: S. Con. Res. 10, S. 1095, and S. 1558 were referred to the Committee on the Judiciary; S. 1699 and S. 1932 were held at the desk; and S. 1988 was referred to the Committees on International Relations and Armed Services. **Page 25816**

Quorum Calls—Votes: There were no Yea and Nay votes, and there were no Recorded votes. There were no quorum calls.

Adjournment: The House met at 6 p.m. and adjourned at 6:05 p.m.

Committee Meetings

No committee meetings were held.

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Tuesday, November 15, 2005

Senate

Chamber Action

Routine Proceedings, pages 25877–25979

Measures Introduced: Eight bills and five resolutions were introduced, as follows: S. 2008–2015, and S. Res. 312–316. **Page 25945**

Measures Reported: S. 705, to establish the Interagency Council on Meeting the Housing and Service Needs of Seniors, with an amendment in the nature of a substitute. (S. Rept. No. 109–178)

S. 1869, to reauthorize the Coastal Barrier Resources Act, with an amendment. (S. Rept. No. 109–179) **Page 25945**

Measure Passed:

National Defense Authorization: By a unanimous vote of 98 yeas (Vote No. 326), Senate passed S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, after taking action on the following amendments: **Page 25880**

Adopted:

Warner (for Dole) Modified Amendment No. 1522, to provide training for defense acquisition workforce on the requirements of section 2533a of title 10, United States Code (commonly referred to as the Berry Amendment) and the regulations implementing that section. **Page 25883**

Warner (for Smith) Amendment No. 2525, to provide for the temporary inapplicability of the Berry Amendment to procurements of specialty metals that are used to produce force protection equipment needed to prevent combat fatalities in Iraq and Afghanistan. **Page 25883**

Warner (for Hutchison/Nelson (FL)) Amendment No. 2526, to express the sense of the Senate with regard to manned space flight. **Page 25883**

Warner (for Ensign) Amendment No. 2527, to require an annual report on the costs incurred by the Department of Defense in implementing or supporting resolutions of the United Nations Security Council. **Page 25883**

Warner (for Snowe) Amendment No. 2528, to provide for the Administrator of the Small Business Administration's determination. **Page 25884**

Warner (for Snowe) Amendment No. 2529, to encourage small business contracting in overseas procurements. **Page 25884**

Warner (for Snowe) Amendment No. 2530, to ensure fair access to multiple-award contracts. **Page 25884**

Warner (for Snowe/Kerry) Amendment No. 2531, to address research and development efforts for purposes of small business research. **Page 25884**

Warner (for Kerry) Amendment No. 2532, to clarify that the Small Business Administration has authority to provide disaster relief for small business concerns damaged by drought. **Page 25885**

Warner (for Kerry) Modified Amendment No. 1500, to require a strategy and report by the Secretary of Defense regarding the impact on small businesses of the requirement to use radio frequency identifier technology. **Page 25882**

Warner (for Bayh) Amendment No. 1518, to require lenders to include information regarding the mortgage and foreclosure rights of servicemembers under the Servicemembers Civil Relief Act. **Page 25883**

Warner (for Lautenberg) Amendment No. 2533, to require the Secretary of Defense to maintain a website listing information on Federal contractor misconduct, and to require a report on Federal sole source contracts related to Iraq reconstruction. **Page 25885**

Warner (for Collins) Amendment No. 1345, to provide for expedited action in bid protests conducted under OMB Circular A–76. **Pages 25882, 25897**

Warner (for Kennedy/Chambliss) Amendment No. 2534, to provide for improved assessment of public-private competition for work performed by civilian employees of the Department of Defense. **Page 25885**

Warner (for Thomas) Modified Amendment No. 1468, relating to contracting in the procurement of certain supplies and services. **Page 25882**

Warner (for Allard) Amendment No. 1354, to authorize the participation of members of the Armed Forces in the Paralympic Games. **Page 25882**

Warner (for Inhofe) Amendment No. 2535, to express the sense of Congress that the President should take immediate steps to establish a plan to address the military and economic development of China. **Page 25886**

Warner (for Leahy) Amendment No. 1902, to require a report on records maintained by the Department of Defense on civilian casualties in Afghanistan and Iraq. **Page 25883**

Warner (for Santorum) Amendment No. 1898, to authorize the disposal and sale to qualified entities of up to 8,000,000 pounds of tungsten ores and concentrates from the National Defense Stockpile. **Page 25883**

Warner/Levin Amendment No. 2536, to require a report on the development and utilization by the Department of Defense of robotics and unmanned ground vehicle systems. **Page 25887**

Warner Amendment No. 2537, to modify and extend the pilot program on share-in-savings contracts. **Page 25887**

Warner Amendment No. 2538, to provide for the supervision and management of the Defense Business Transformation Agency. **Page 25888**

Warner (for Snowe) Amendment No. 1538, to provide a termination date for the Small Business Competitiveness Demonstration Program. **Page 25883**

Warner (for Chambliss) Amendment No. 2539, to make available, with an offset, an additional $45,000,000 for aircraft procurement for the Air Force for procurement of one C–37B aircraft. **Page 25888**

Warner (for Isakson) Amendment No. 2540, to designate certain financial assistance for cadets at military junior colleges as Ike Skelton Early Commissioning Program Scholarships. **Page 25888**

Warner Amendment No. 2541, to modify eligibility for the position of President of the Naval Postgraduate School. **Page 25888**

Warner (for DeWine) Amendment No. 2542, to provide an additional death gratuity to the eligible survivors of servicemembers who died between October 7, 2001, and May 11, 2005, from noncombat-related causes while on active duty. **Page 25888**

Warner (for Allen) Amendment No. 2543, to express the sense of the Senate with regard to aeronautics research and development. **Page 25888**

Warner Amendment No. 2544, to modify the limited acquisition authority for the commander of the United States Joint Forces Command. **Page 25888**

Warner Amendment No. 2545, to authorize certain emergency supplemental authorizations for the Department of Defense. **Page 25888**

Warner (for Dayton) Amendment No. 2546, to express the sense of the Senate on certain matters relating to the National Guard and Reserves. **Page 25889**

Warner (for Byrd) Amendment No. 2547, to authorize the disposal of ferromanganese from the National Defense Stockpile. **Page 25889**

Warner (for Reid) Amendment No. 2548, to improve the Armament Retooling and Manufacturing Support Initiative. **Page 25889**

Warner Amendment No. 2549, to require the Secretary of Defense to consult with appropriate State and local entities on transportation, utility infrastructure, housing, schools, and family support activities related to the planned addition of personnel or facilities to existing military installations in connection with the closure or realignment of military installations as part of the 2005 round of defense base closure and realignment. **Page 25889**

Warner (for Lott/Cornyn) Amendment No. 2550, to express the sense of the Senate on reversionary interests at Navy homeports. **Page 25889**

Warner (for Levin) Amendment No. 2551, to require a report on claims related to the bombing of the LaBelle Discotheque in Berlin, Germany. **Page 25890**

Warner (for Kennedy/Feinstein) Amendment No. 2552, to provide that none of the funds authorized to be appropriated to the Department of Energy under this Act may be made available for the Robust Nuclear Earth Penetrator. **Page 25890**

Warner (for Snowe/Collins) Amendment No. 2553, to require the identification of environmental conditions at military installations closed or realigned as part of the 2005 round of defense base closure and realignment. **Page 25890**

Warner (for Snowe) Amendment No. 2554, to express the sense of Congress that the Secretary of Defense should not transfer any unit from a military installation that is closed or realigned until adequate facilities and infrastructure necessary to support such unit and quality of life requirements are ready at the receiving location. **Page 25890**

Warner (for Hagel) Amendment No. 2555, to extend the period for which certain individuals in families that include members of the Reserve and National Guard do not have to reapply for supplemental security income benefits after a period of ineligibility for such benefits. **Page 25891**

Warner (for Nelson (FL)) Amendment No. 2556, to urge the prompt submission of interim reports on residual beryllium contamination at Department of Energy vendor facilities. **Page 25891**

Warner (for Graham) Amendment No. 2557, to require a report on an expanded partnership between the Department of Defense and the Department of Veterans Affairs for the provision of health care services. **Page 25891**

Warner (for Salazar) Amendment No. 2558, to authorize grants for local workforce investment boards for the provision of services to spouses of certain members of the Armed Forces. **Page 25892**

Warner Amendment No. 2559, to make available $7,000,000 from Operation and Maintenance, Defense-Wide, for the reimbursement of expenses related to the Rest and Recuperation Leave Programs. **Page 25892**

Warner (for Feingold) Amendment No. 2560, to require a report on the information given to individuals enlisting in the Armed Forces of the so-called "stop loss" authority of the Armed Forces. **Page 25892**

Warner (for Byrd) Amendment No. 2561, to require preparation of a development plan for a national coal-to-liquid fuels program. **Page 25892**

Warner (for Craig) Amendment No. 2562, to amend titles 10 and 38 of the United States Code, to modify the circumstances under which a person who has committed a capital offense is denied certain burial-related benefits and funeral honors. **Page 25892**

Warner (for Feingold) Amendment No. 2563, to require an annual report on the budgeting of the Department of Defense related to key military equipment. **Page 25893**

Warner (for Martinez/Warner) Amendment No. 2564, to improve the general authority of the Department of Defense to accept and administer gifts. **Page 25893**

Warner (for McCain) Amendment No. 2565, to express the sense of the Senate on the applicability of the Uniform Code of Military Justice to members of the reserve components of the Armed Forces on inactive-duty training overseas. **Page 25893**

Warner (for McConnell) Amendment No. 2566, to facilitate the commemoration of the success of the United States Armed Forces in Operation Enduring Freedom and Operation Iraqi Freedom. **Page 25894**

Warner (for McConnell) Amendment No. 2567, to authorize the construction of battalion dining facilities at Fort Knox, Kentucky. **Page 25894**

Warner/Levin Amendment No. 2568, to provide for a responsibility of the Joint Chiefs of Staff as military advisors to the Homeland Security Council. **Page 25894**

Warner (for Salazar) Amendment No. 2569, to express the sense of the Senate on the lives saved by the Common Remotely Operated Weapons Station (CROWS) platform. **Page 25894**

Warner Amendment No. 2570, to include packet based telephony service in the Department of Defense telecommunications benefit. **Page 25895**

Warner (for Collins/Snowe) Amendment No. 2571, to express the sense of the Senate to emphasize that financial assistance may be provided for the performance of activities by the Army National Guard without use of competitive procedures under standard exceptions to the use of such procedures. **Page 25895**

Warner (for Durbin) Amendment No. 2572, to clarify that military reservists, who are released from active duty and who are otherwise qualified, are eligible for veterans preference in Federal hiring. **Page 25895**

Warner (for DeWine) Amendment No. 2573, to require the Secretary of Defense to conduct a study and submit a report on the feasibility of conducting a military and civilian partnership health care project. **Page 25895**

Warner (for Snowe) Amendment No. 2574, to provide for a contracting incentive for small power plants on former military bases. **Page 25895**

Warner/McCain Amendment No. 2575, to extend through 2010 the requirement for an annual report on the maturity of technology at the initiation of major defense acquisition programs. **Page 25895**

Warner (for Byrd) Amendment No. 2576, to authorize $4,500,000 for the Army National Guard for the construction of a readiness center at Camp Dawson, West Virginia, to authorize $2,000,000 for the Air National Guard for C–5 aircraft shop upgrades at Eastern West Virginia Regional Airport, Shepherd Field, Martinsburg, West Virginia, and to provide an offset. **Page 25895**

Warner Amendment No. 2577, to require a report on the effects of windmill farms on military readiness. **Page 25895**

Warner Amendment No. 2578, to require a report on advanced technologies for nuclear power reactors in the United States. **Page 25896**

Warner (for Bayh) Amendment No. 2579, to require quarterly reports on the war strategy in Iraq. **Page 25896**

By 79 yeas to 19 nays (Vote No. 323), Warner/Frist Amendment No. 2518, to clarify and recommend changes to the policy of the United States on Iraq and to require reports on certain matters relating to Iraq. **Page 25901**

By 84 yeas to 14 nays (Vote No. 325), Graham Amendment No. 2524 (to Amendment No. 2515), in the nature of a substitute. **Pages 25901, 25905**

Graham Amendment No. 2515, relating to the review of the status of detainees of the United States Government, as amended. **Page 25908**

Rejected:

By 40 yeas to 58 nays (Vote No. 322), Levin Amendment No. 2519, to clarify and recommend changes to the policy of the United States on Iraq and to require reports on certain matters relating to Iraq. **Page 25901**

By 44 yeas to 54 nays (Vote No. 324), Bingaman Amendment No. 2523 (to Amendment No. 2515), to provide for judicial review of detention of enemy combatants. **Page 25903**

During consideration of this measure today, Senate also took the following action:

A unanimous-consent request was granted permitting Senator Inhofe to change his yea vote to a nay vote on Vote No. 307 changing the outcome of the vote to 92 yeas to 6 nays relative to Nelson (FL) Amdt. No. 2424, to repeal the requirement for the reduction of certain Survivor Benefit Plan annuities by the amount of dependency and indemnity compensation and to modify the effective date for paid-up coverage under the Survivor Benefit Plan (adopted on Tuesday, November 8, 2005).

Department of Defense Authorization: Senate passed S. 1043, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, to prescribe personnel strengths for such fiscal year for the

Armed Forces, after striking all after the enacting clause and inserting in lieu thereof Division A of S. 1042, National Defense Authorization, as passed. **Page 25915**

Military Construction Authorization: Senate passed S. 1044, to authorize appropriations for fiscal year 2006 for military construction, after striking all after the enacting clause and inserting in lieu thereof Division B of S. 1042, National Defense Authorization, as passed. **Page 25916**

Department of Energy Defense Activities Authorization: Senate passed S. 1045, to authorize appropriations for fiscal year 2006 for defense activities of the Department of Energy, after striking all after the enacting clause and inserting in lieu thereof Division C of S. 1042, National Defense Authorization, as passed. **Page 25916**

National Defense Authorization: Committee on Armed Services was discharged from further consideration of H.R. 1815, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and the bill was then passed, after striking all after the enacting clause and inserting in lieu thereof the text of S. 1042, Senate companion measure, as amended and passed by the Senate. **Page 25916**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Warner, McCain, Inhofe, Roberts, Sessions, Collins, Ensign, Talent, Chambliss, Graham, Dole, Cornyn, Thune, Levin, Kennedy, Byrd, Lieberman, Reed, Akaka, Nelson (FL), Nelson (NE), Dayton, Bayh, and Clinton. **Page 25916**

A unanimous-consent agreement was reached providing that if the Senate receives a message with respect to S. 1042, 1043, 1044 and 1045, as passed (listed above), the Senate disagree with the House on its amendment or amendments to the Senate-passed bill and agree to or request a conference, as appropriate, with the House on the disagreeing votes of the two Houses; and that the Chair be authorized to appoint conferees. **Page 25916**

Feed America Thursday: Senate agreed to S. Res. 314, designating Thursday, November 17, 2005, as "Feed America Thursday". **Page 25976**

Lewis and Clark Bicentennial Anniversary: Senate agreed to S. Res. 315, to commemorate the bicentennial anniversary of the arrival of Lewis and Clark at the Pacific Ocean. **Page 25977**

White House Fellows Program: Committee on the Judiciary was discharged from further consideration of H. Con. Res. 269, recognizing the 40th anniversary of the White House Fellows Program, and the resolution was then agreed to. **Page 25978**

Pike Exploration Bicentennial Anniversary: Committee on the Judiciary was discharged from further consideration of S. Res. 252, recognizing the Bicentennial Anniversary of Zebulon Montgomery Pike's explorations in the interior west of the United States, and the resolution was then agreed to. **Page 25978**

Heroes Earned Retirement Opportunities Act: Committee on Finance was discharged from further consideration of H.R. 1499, to amend the Internal Revenue Code of 1986 to allow members of the Armed Forces serving in a combat zone to make contributions to their individual retirement plans even if the compensation on which such contribution is based is excluded from gross income, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Page 25978**

Santorum (for Frist) Amendment No. 2580, to make a technical correction. **Page 25978**

Commerce/Justice/Science Appropriations—Conference Report: Senate began consideration of the conference report to accompany H.R. 2862, making appropriations for the Departments of Commerce and Justice, Science, and related agencies for the fiscal year ending September 30, 2006. **Page 25917**

A unanimous-consent agreement was reached providing for further consideration of the conference report on Wednesday, November 16, 2005, with a vote to occur on adoption of the conference report. **Page 25917**

Pension Security and Transparency Act Agreement: A unanimous-consent time agreement was reached providing that following morning business, on Wednesday, November 16, 2005, Senate begin consideration of S. 1783, a bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to reform the pension funding rules; that the amendment in the nature of a substitute at the desk be agreed to as original text for the purpose of further amendment; that the only amendments in order be offered by Senator Isakson, or his designee, on airline pension plans, and an amendment by Senator Akaka relative to pilots, to be limited to 30 minutes of debate divided equally; that debate be limited to 2 hours divided equally, respectively; and that following disposition of the amendments, the bill, as amended, be read a third time and the Senate vote on final passage of the bill. **Page 25976**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, consistent with section 2103(a)(1) of the Trade Act of 2002, a report of the intention to enter into an agreement with the European Union, Japan, the Republic of Korea, and Taiwan on tariff treatment for multi-chip integrated circuits; which was referred to the Committee on Foreign Relations. (PM–31) **Page 25943**

Messages From the House: **Page 25944**

Measures Read First Time: Page 25944

Executive Communications: Page 25944

Additional Cosponsors: Page 25945

Statements on Introduced Bills/Resolutions: Page 25946

Additional Statements: Page 25942

Amendments Submitted: Page 25960

Notices of Hearings/Meetings: Page 25975

Authorities for Committees to Meet: Page 25975

Privileges of the Floor: Page 25976

Record Votes: Five record votes were taken today. (Total—326) Pages 25902–03, 25905, 25908, 25915

Adjournment: Senate convened at 9:45 a.m., and adjourned at 7:57 p.m., until 9:30 a.m., on Wednesday, November 16, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 25979.)

Committee Meetings

DEFENSE ACQUISITION

Committee on Armed Services: Subcommittee on Airland concluded a hearing to examine defense acquisition issues related to tactical aviation and Army programs, after receiving testimony from Katherine V. Schinasi, Managing Director, Acquisition and Sourcing Management, Government Accountability Office; Frank J. Anderson, Jr., President and Chief Executive Officer, Defense Acquisition University, Department of Defense; John J. Hamre, Center for Strategic and International Studies, Washington, D.C.; and Gene H. Porter, Institute for Defense Analyses, and Gary Christle, Center for Naval Analyses, both of Alexandria, Virginia.

NOMINATION

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the nominations of Ben S. Bernanke, of New Jersey, to be a Member and to be Chairman of the Board of Governors of the Federal Reserve System, after the nominee testified and answered questions in his own behalf.

ALTERNATIVE AUTOMOTIVE FUEL TECHNOLOGIES

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine public policy options for encouraging alternative automotive fuel technologies, focusing on gasoline consumption, vehicles powered by hydrogen fuel cells, and the Corporate Average Fuel Economy (CAFE), after receiving testimony from Jeffrey N. Shane, Under Secretary of Transportation for Policy; Steven E. Plotkin, Argonne National Laboratory, Department of Energy; and Fred Webber, Alliance of Automobile Manufacturers, David Friedman, Union of Concerned Scientists, and Jason Grumet, National Commission on Energy Policy, all of Washington, D.C.

ENVIRONMENTAL MANAGEMENT PROGRAMS

Committee on Energy and Natural Resources: Committee concluded a hearing to examine a status report on the Environmental Protection Management programs of the Department of Energy, focusing on status of progress at DOE cleanup sites, after receiving testimony from Senator Allard; James A. Rispoli, Assistant Secretary of Energy for Environmental Management; and Nancy Tuor, Kaiser-Hill Company, LLC, Broomfield, Colorado.

NATIONAL PARKS BILLS

Committee on Energy and Natural Resources: Subcommittee on National Parks concluded a hearing to examine S. 431, to establish a program to award grants to improve and maintain sites honoring Presidents of the United States, S. 505, to amend the Yuma Crossing National Heritage Area Act of 2000 to adjust the boundary of the Yuma Crossing National Heritage Area, S. 1288, to authorize the Secretary of the Interior to enter into cooperative agreements to protect natural resources of units of the National Park System through collaborative efforts on land inside and outside of units of the National Park System, S. 1544, to establish the Northern Plains National Heritage Area in the State of North Dakota, S. Con. Res. 60, designating the Negro Leagues Baseball Museum in Kansas City, Missouri, as America's National Negro Leagues Baseball Museum, S. 748 and H.R. 1084, bills to authorize the establishment at Antietam National Battlefield of a memorial to the officers and enlisted men of the Fifth, Sixth, and Ninth New Hampshire Volunteer Infantry Regiments and the First New Hampshire Light Artillery Battery who fought in the Battle of Antietam on September 17, 1862, and H.R. 2107, to amend Public Law 104–329 to modify authorities for the use of the National Law Enforcement Officers Memorial Maintenance Fund, after receiving testimony from Donald W. Murphy, Deputy Director, National Park Service, Department of the Interior; New Hampshire State Senator Bob Letourneau, Concord; John Jordan O'Neil, The Negro Leagues Baseball Museum, Kansas City, Missouri; and Emily Wadhams, National Trust for Historic Preservation, Washington, D.C.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported an original bill entitled "Tax Relief Act of 2005".

TREATIES

Committee on Foreign Relations: Committee concluded a hearing to examine the Treaty Between the United States of America and Japan on Mutual Legal Assistance in Criminal Matters, signed at Washington on August 5, 2003; including a related exchange of notes (Treaty Doc. 108–12), Treaty Between the United States of America and the Federal Republic of Germany on Mutual Legal Assistance in Criminal Matters, signed at Washington on October 14, 2003, and a related exchange of notes (Treaty Doc. 108–27), Extradition Treaty Between the United States of America and the United Kingdom of Great Britain and Northern Ireland, and related exchanges of letters, signed at Washington on March 31, 2003 (Treaty Doc. 108–23), and Protocol between the Government of the United States of America and the Government of the State of Israel, signed at Jerusalem on July 6, 2005 (Treaty Doc. 109–3), after receiving testimony from Samuel M. Witten, Deputy Legal Adviser, Department of State; and Mary Ellen Warlow, Director, Office of International Affairs, Criminal Division, Department of Justice.

NUCLEAR NONPROLIFERATION

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, and International Security concluded an oversight hearing to examine the current nuclear situation in Iran and the response of the United States, focusing on the relationship between Iran's pursuit of nuclear weapons and its status as a state-sponsor of terrorism, after receiving testimony from former Representative Gingrich; former Senator D'Amato; R. James Woolsey, former Director, Central Intelligence Agency; Gary Samore, John D. and Catherine T. MacArthur Foundation, Chicago, Illinois; and Ray Takeyh, Council on Foreign Relations, and Ilan Berman, American Foreign Policy Council, both of Washington, D.C.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Virginia Mary Kendall, to be United States District Judge for the Northern District of Illinois, who was introduced by Senators Durbin and Obama, Kristi Dubose, to be United States District Judge for the Southern District of Alabama, and W. Keith Watkins, to be United States District Judge for the Middle District of Alabama, who were introduced by Senators Shelby and Sessions, after the nominees testified and answered questions in their own behalf.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 19 public bills, H.R. 4318–4336; and 6 resolutions, H. Con. Res. 297–299; and H. Res. 552, 554–555, were introduced. **Page 26044**

Additional Cosponsors: **Page 26046**

Reports Filed: Reports were filed today as follows:

H.R. 326, to amend the Yuma Crossing National Heritage Area Act of 2000 to adjust the boundary of the Yuma Crossing National Heritage Area and to extend the authority of the Secretary of the Interior to provide assistance under that Act, with amendments (H. Rept. 109–294);

H. Res. 553, providing for consideration of the bill (H.R. 1065) to establish the United States Boxing Commission to protect the general welfare of boxers and to ensure fairness in the sport of professional boxing (H. Rept. 109–295); and

H. Res. 515, a resolution of inquiry requesting the President of the United States to provide to the House of Representatives certain documents in his possession relating to the anticipated effects of climate change on the coastal regions of the United States, adversely (H. Rept. 109–296). **Page 26044**

Speaker: Read a letter from the Speaker wherein he appointed Representative Gohmert to act as Speaker pro tempore for today. **Page 25980**

Recess: The House recessed at 10:50 a.m. and reconvened at noon. **Page 25982**

Recess: The House recessed at 12:15 p.m. and reconvened at 2 p.m. **Page 25984**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Yakima-Tieton Irrigation District Conveyance Act of 2005: H.R. 1564, to authorize the Secretary of the Interior to convey certain buildings and lands of the Yakima Project, Washington, to the Yakima-Tieton Irrigation, by a yea-and-nay vote of 420 yeas with none voting "nay", Roll No. 586; **Pages 25984, 26005**

Franklin National Battlefield Study Act: H.R. 1972, amended, to direct the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of including in the National Park System certain sites in Williamson County, Tennessee, relating to the Battle of Franklin; **Page 25985**

Pechanga Band of Luiseno Mission Indians Land Transfer Act of 2005: H.R. 3507, to transfer certain land in Riverside County, California, and San Diego County, California, from the Bureau of Land Management to the United States to be held in trust for the Pechanga Band of Luiseno Mission Indians; **Page 25987**

To amend the Omnibus Parks and Public Lands Management Act of 1996 to allow certain commercial vehicles to continue to use Route 209 within Delaware Water Gap National Recreation Area and to allow the National Park Service to continue to collect fees from those vehicles: H.R. 3721, amended, to amend the Omnibus Parks and Public Lands Management Act of 1996 to allow certain commercial vehicles to continue to use Route 209 within Delaware Water Gap National Recreation Area and to allow the National Park Service to continue to collect fees from those vehicles; **Page 25988**

To authorize the Secretary of Agriculture to carry out certain land exchanges involving small parcels of National Forest System land in the Tahoe National Forest in the State of California: H.R. 3981, to authorize the Secretary of Agriculture to carry out certain land exchanges involving small parcels of National Forest System land in the Tahoe National Forest in the State of California; **Page 25989**

Northern Arizona Land Exchange and Verde River Basin Partnership Act of 2005: S. 161, to provide for a land exchange in the State of Arizona between the Secretary of Agriculture and Yavapai Ranch Limited Partnership—clearing the measure for the President; **Page 25989**

To authorize the Secretary of the Interior to study the suitability and feasibility of designating Castle Nugent Farms located on St. Croix, Virgin Islands, as a unit of the National Park System: H.R. 318, to authorize the Secretary of the Interior to study the suitability and feasibility of designating Castle Nugent Farms located on St. Croix, Virgin Islands, as a unit of the National Park System; **Page 25994**

To redesignate the Ellis Island Library on the third floor of the Ellis Island Immigration Museum, located on Ellis Island in New York Harbor, as the "Bob Hope Memorial Library": H.R. 323, to redesignate the Ellis Island Library on the third floor of the Ellis Island Immigration Museum, located on Ellis Island in New York Harbor, as the "Bob Hope Memorial Library", by a yea-and-nay vote of 419 yeas with 1 voting "present", Roll No. 587; **Pages 25994, 26006**

To amend the Yuma Crossing National Heritage Area Act of 2000 to adjust the boundary of the Yuma Crossing National Heritage Area and to extend the authority of the Secretary of the Interior to provide assistance under that Act: H.R. 326, amended, to amend the Yuma Crossing National Heritage Area Act of 2000 to adjust the boundary of the Yuma Crossing National Heritage Area and to extend the authority of the Secretary of the Interior to provide assistance under that Act; **Page 25996**

Agreed to amend the title so as to read: "A bill to amend the Yuma Crossing National Heritage Area Act of 2000 to adjust the boundary of the Yuma Crossing National Heritage Area and for other purposes." **Page 25996**

Federal Youth Coordination Act: H.R. 856, to establish a Federal Youth Development Council to improve the administration and coordination of Federal programs serving youth, by a yea-and-nay vote of 353 yeas to 62 nays, Roll No. 588; and **Pages 25996, 26007**

Recognizing the 30th anniversary of the enactment of the Education for All Handicapped Children Act of 1975 and reaffirming support for the Individuals with Disabilities Education Act so that all children with disabilities have access to a free appropriate public education in the least restrictive environment: H. Con. Res. 288, recognizing the 30th anniversary of the enactment of the Education for All Handicapped Children Act of 1975 and reaffirming support for the Individuals with Disabilities Education Act so that all children with disabilities have access to a free appropriate public education in the least restrictive environment. **Page 25999**

Suspensions—Proceedings Postponed: The House completed debate on the following measure under suspension of the rules. Further consideration will continue tomorrow, November 16th.

Child Medication Safety Act of 2005: H.R. 1790, amended, to protect children and their parents from being coerced into administering a controlled substance or a psychotropic drug in order to attend school. **Page 26003**

Recess: The House recessed at 3:46 p.m. and reconvened at 6:32 p.m. **Page 26005**

Presidential Message: Read a message from the President whereby he notified the Congress of his intention to enter into an agreement with the European Union, Japan, the Republic of Korea, and Taiwan on tariff treatment for multi-chip integrated products—referred to the Committee on Ways and Means and ordered printed (H. Doc. 109–70). **Page 26005**

Senate Message: Message received from the Senate today appears on page 25983.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings today and appear on pages 26005–07. There were no quorum calls.

Adjournment: The House met at 10:30 a.m. and adjourned at midnight.

Committee Meetings

FOREST SERVICE LITIGATION

Committee on Agriculture: Held a hearing to review recent litigation on Forest Service firefighting and forest health efforts. Testimony was heard from Mark Rey, Under Secretary, Natural Resources and Environment, USDA; and public witnesses.

METHAMPHETAMINE EPIDEMIC ELIMINATION ACT

Committee on Energy and Commerce: Ordered reported, as amended, H.R. 3889, Methamphetamine Epidemic Elimination Act.

TRADE IN SERVICES

Committee on Financial Services: Subcommittee on Domestic and International Monetary Policy, Trade, and Technology held a hearing on Increasing Efficiency and Economic Growth Through Trade in Financial Services. Testimony was heard from Christine Bliss, Acting Assistant U.S. Trade Representative, Services and Investment; Clay Lowery, Assistant Secretary, International Affairs, Department of the Treasury; and public witnesses.

GULF WAR VETERANS ACT IMPLEMENTATION

Committee on Government Reform: Subcommittee on National Security. Emerging Threats and International Relations held a hearing entitled "Examining VA Implementation of the Persian Gulf War Veterans Act of 1998." Testimony was heard from James P. O'Callaghan, M.D., Centers for Disease Control and Prevention, National Institute for Occupational Safety and Health, Department of Health and Human Services; Susan Mather, M.D., Chief Officer, Public Health and Environmental Hazards, Veterans Health Administration, Department of Veterans Affairs; and public witnesses.

HOMELAND SECURITY INTERESTS—ORGANIZATIONAL STRUCTURE

Committee on Homeland Security: Subcommittee on Management, Integration and Oversight held a hearing entitled "CBP and ICE: Does the Current Organizational Structure Best Serve U.S. Homeland Security Interests? Part 2" Testimony was heard from the following officials of the Department of Homeland Security: Robert L. Ashbaugh, Assistant Inspector General, Inspections and Special Reviews; and Stewart Baker, Assistant Secretary, Policy.

RESOLUTION—SENSE OF CONGRESS—RUSSIAN FEDERATION—PROTECT ALL RELIGIOUS COMMUNITIES; INTERNATIONAL RELIGIOUS FREEDOM REPORT

Committee on International Relations: Subcommittee on Africa, Global Human Rights and International Operations approved for full Committee action H. Con. Res. 190, Expressing the sense of the Congress that the Russian Federation should fully protect the freedoms of all religious communities without distinction, whether registered and unregistered, as stipulated by the Russian Constitution and international standards.

The Subcommittee also held a held a hearing on In Defense of Human Dignity: The 2005 International Religious Freedom Report. Testimony was heard from John V. Hanford III, Ambassador-at-Large, Office of International Religious Freedom, Department of State; Michael Cromartie, Chair, U.S. Commission on International Religious Freedom; and public witnesses.

MISCELLANEOUS MEASURES

Committee on International Relations: Subcommittee on the Middle East and Central Asia approved for full Committee action the following measures: H. Con. Res. 284, amended, Expressing the sense of Congress with respect to the 2005 presidential and parliamentary elections in Egypt; H. Res. 438, amended, Urging member states of the United Nations to stop supporting resolutions that unfairly castigate Israel and to promote within the United Nations General Assembly more balanced and constructive approaches to resolving conflict in the Middle East; H. Con. Res. 275, Expressing the sense of Congress regarding the education curriculum in the Kingdom of Saudi Arabia; and H. Res. 535, Honoring the life, legacy, and example of Israeli Prime Minister Yitzhak Rabin on the tenth anniversary of his death.

OVERSIGHT—VOTING RIGHTS ACT

Committee on the Judiciary: Subcommittee on the Constitution held an oversight hearing on the Voting Rights Act: Sections 6 and 8—Federal Examiner and Observer Programs. Testimony was heard from Nancy Randa, Associate Director, Talent Services, Human Resources Products and Services Division, OPM; Barry Weinberg, former Deputy Chief and Acting Chief, Voting Section, Civil Rights Division, Department of Justice; and a public witness.

OVERSIGHT—FEDERAL JURISDICTION CLARIFICATION ACT

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property held an oversight hearing on Federal Jurisdiction Clarification Act. Testimony was heard from Janet C. Hall, Judge, U.S. District Court for the District of Connecticut; and public witnesses.

U.S. BOXING COMMISSION ACT

Committee on Rules: The Committee granted, by voice vote, a structured rule providing 1 hour of general debate on H. R. 1065, United States Boxing Commission Act, with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce, and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the bill. The rule provides that in lieu of the amendments recommended by the Committees on Energy and Commerce and the Judiciary now printed in the bill, the amendment in the nature of a substitute printed in part A of the Rules Committee report shall be considered as the original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the amendment in the nature of a substitute printed in part A of the Rules Committee report. The rule makes in order only those amendments printed in part B of the Rules Committee report, which may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in part B of the Rules Committee report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Stearns and Rush.

AMTRAK—CURRENT GOVERNANCE ISSUES

Committee on Transportation and Infrastructure: Subcommittee on Railroads held a hearing on Current Governance Issues at Amtrak. Testimony was heard from Jeffrey A. Rosen, General Counsel, Department of Transportation; the following officials of AMTRAK: David M. Laney, Chairman of the Board; and David Hughes, Acting President and CEO; and David Gunn, former President and CEO, AMTRAK.

BUDGET RECONCILIATION—TAXES

Committee on Ways and Means: Ordered reported, as amended, H.R. 4297, To provide for reconciliation pursuant to section 201(b) of the concurrent resolution on the budget for fiscal year 2006.

Joint Meetings

APPROPRIATIONS: LABOR/HHS/EDUCATION

Conferees met on Monday, November 14, 2005, to resolve the differences between the Senate and House passed versions of H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, but did not complete action thereon, and recessed subject to the call.

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Wednesday, November 16, 2005

Senate

Chamber Action

Routine Proceedings, pages 26061–26260

Measures Introduced: Twelve bills and one resolution were introduced, as follows: S. 2016–2027, and S. Res. 317. **Page 26140**

Measures Reported: S. 716, to amend title 38, United States Code, to enhance services provided by vet centers, to clarify and improve the provision of bereavement counseling by the Department of Veterans Affairs. (S. Rept. No. 109–180)

S. 363, to amend the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 to establish vessel ballast water management requirements, with an amendment in the nature of a substitute. (S. Rept. No. 109–181)

S. 467, to extend the applicability of the Terrorism Risk Insurance Act of 2002, with an amendment in the nature of a substitute.

S. 2020, to provide for reconciliation pursuant to section 202(b) of the concurrent resolution on the budget for fiscal year 2006. **Page 26139**

Measures Passed:

Rosa Parks Statue: Committee on Rules and Administration was discharged from further consideration of S. Con. Res. 62, directing the Joint Committee on the Library to procure a statue of Rosa Parks for placement in the Capitol, after agreeing to the following amendment proposed thereto: **Page 26234**

Isakson (for Dodd/McConnell) Amendment No. 2585, to make a technical correction. **Page 26235**

Veterans Compensation: Senate passed S. 1234, to increase, effective as of December 1, 2005, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, after agreeing to the following amendment proposed thereto: **Page 26236**

Isakson (for Craig) Amendment No. 2584, in the nature of a substitute. **Page 26236**

Pension Security and Transparency Act: By 97 yeas to 2 nays (Vote No. 328), Senate passed S. 1783, to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to reform the pension funding rules, after taking action on the following amendments proposed thereto: **Page 26072**

Adopted:

Enzi (for Grassley) Amendment No. 2581, in the nature of a substitute. (The amendment will be considered as original text for the purpose of further amendment.) **Page 26072**

Isakson Amendment No. 2582, to modify pension funding rules related to airlines. **Page 26074**

By 58 yeas to 41 nays (Vote No. 327), Akaka/Specter Amendment No. 2583, to compute the actuarial value of monthly benefits in the form of a life annuity commencing at age 60 for certain airline pilots. **Pages 26081, 26094**

Ice Floods National Geologic Trail: Senate passed S. 206, to designate the Ice Floods National Geologic Trail, after agreeing to the committee amendment in the nature of a substitute. **Page 26237**

Space Shuttle "Columbia" Memorials: Senate passed S. 242, to direct the Secretary of the Interior to carry out a study to determine the suitability and feasibility of establishing memorials to the Space Shuttle *Columbia* on parcels of land in the State of Texas, after agreeing to the committee amendment in the nature of a substitute. **Page 26238**

Rocky Mountain National Park: Senate passed S. 584, to require the Secretary of the Interior to allow the continued occupancy and use of certain land and improvements within Rocky Mountain National Park, after agreeing to the committee amendment in the nature of a substitute. **Page 26239**

Ben Franklin National Memorial: Senate passed S. 652, to provide financial assistance for the rehabilitation of the Benjamin Franklin National Memorial in Philadelphia, Pennsylvania, and the development of an exhibit to commemorate the 300th anniversary of the birth of Benjamin Franklin. **Page 26240**

Rural Water Supply Program: Senate passed S. 895, to direct the Secretary of the Interior to establish a rural water supply program in the Reclamation States to provide a clean, safe affordable, and reliable water supply to rural residents, after agreeing to the committee amendment in the nature of a substitute. **Page 26240**

Franklin National Battlefield Study Act: Senate passed H.R. 1972, to direct the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of including in the National Park System certain sites in Williamson County, Tennessee, relating to the Battle of Franklin, clearing the measure for the President. **Page 26237**

Star-Spangled Banner Trail: Senate passed S. 958, to amend the National Trails System Act to designate the Star-Spangled Banner Trail in the States of Maryland and Virginia and the District of Columbia as a National Historic Trail, after agreeing to the committee amendments. **Page 26248**

Acadia National Park Improvement Act: Senate passed S. 1154, to extend the Acadia National Park Advisory Commission, to provide improved visitor services at the park, after agreeing to the committee amendments. **Page 26248**

Public Land Corps Healthy Forests Restoration Act: Senate passed S. 1238, to amend the Public Lands Corps Act of 1993 to provide for the conduct of projects that protect forests, after agreeing to the committee amendments, and the following amendment proposed thereto: **Page 26249**

McConnell (for Domenici/Bingaman) Amendment No. 2591, to modify the authorization of appropriations. **Page 26250**

Delaware National Coastal Special Resources Study Act: Senate passed S. 1627, to authorize the Secretary of the Interior to conduct a special resources study to evaluate resources along the coastal region of the State of Delaware and to determine the suitability and feasibility of establishing a unit of the National Park System in Delaware. **Page 26251**

Cape Lookout National Seashore: Senate passed H.R. 126, to amend Public Law 89–366 to allow for an adjustment in the number of free roaming horses permitted in Cape Lookout National Seashore, clearing the measure for the President. **Page 26251**

Caribbean National Forest Act: Senate passed H.R. 539, to designate certain National Forest System land in the Commonwealth of Puerto Rico as a component of the National Wilderness Preservation System, clearing the measure for the President. **Page 26251**

Department of the Interior Volunteer Recruitment Act: Senate passed H.R. 584, to authorize the Secretary of the Interior to recruit volunteers to assist with, or facilitate, the activities of various agencies and offices of the Department of the Interior, clearing the measure for the President. **Page 26252**

Angel Island Immigration Station Restoration and Preservation Act: Senate passed H.R. 606, to authorize appropriations to the Secretary of the Interior for the restoration of the Angel Island Immigration Station in the State of California, clearing the measure for the President. **Page 26252**

National Geologic Mapping Reauthorization Act: Senate passed S. 485, to reauthorize and amend the National Geologic Mapping Act of 1992, after agreeing to the following amendment proposed thereto: **Page 26252**

McConnell (for Domenici/Bingaman) Amendment No. 2592, to extend the authorization of appropriations for the National Geologic Mapping Act of 1992. **Page 26252**

Morley Nelson Snake River Birds of Prey National Conservation Area Act: Senate passed S. 761, to rename the Snake River Birds of Prey National Conservation Area in the State of Idaho as the Morley Nelson Snake River Birds of Prey National Conservation Area in honor of the late Morley Nelson, an international authority on birds of prey, who was instrumental in the establishment of this National Conservation Area, **Page 26252**

Fort Stanton-Snowy River National Cave Conservation Area Act: Senate passed S. 1170, to establish the Fort Stanton-Snowy River Cave National Conservation Area, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Page 26253**

McConnell (for Domenici/Bingaman) Amendment No. 2593, in the nature of a substitute. **Page 26254**

McConnell (for Domenici) Amendment No. 2594, to amend the title. **Page 26255**

Deschutes River Conservancy Reauthorization Act: Senate passed S. 166, to amend the Oregon Resource Conservation Act of 1996 to reauthorize the participation of the Bureau of Reclamation in the Deschutes River Conservancy. **Page 26255**

Little Butte/Bear Creek Subbasins Water Feasibility Act: Senate passed S. 251, to authorize the Secretary of the Interior, acting through the Bureau of Reclamation, to conduct a water resource feasibility study for the Little Butte/Bear Creek Subbasins in Oregon, after agreeing to the committee amendments. **Page 26255**

Rio Arriba County Land Conveyance Act: Senate passed S. 213, to direct the Secretary of the Interior to convey certain Federal land to Rio Arriba County, New Mexico, after agreeing to the committee amendment in the nature of a substitute. **Page 26255**

Glendo Unit of the Missouri River Basin Project Contract Extension Act: Senate passed S. 592, to extend the contract for the Glendo Unit of the Missouri River Basin Project in the State of Wyoming. **Page 26256**

Pactola Reservoir Reallocation Authorization Act: Senate passed S. 819, to authorize the Secretary of the Interior to reallocate costs of the Pactola Dam and Reservoir, South Dakota, to reflect increased demands for municipal, industrial, and fish and wildlife purposes. **Page 26256**

Nebraska Water Service Extension: Senate passed S. 891, to extend the water service contract for the Ainsworth Unit, Sandhills Division, Pick-Sloan Missouri Basin Program, Nebraska. **Page 26256**

Alaska Water Resources Act: Senate passed S. 1338, to require the Secretary of the Interior, acting through the Bureau of Reclamation and the United States Geological Survey, to conduct a study on groundwater resources in the State of Alaska, after agreeing to the committee amendment. **Page 26256**

Catoctin Mountain National Recreation Area Designation Act: Senate passed S. 777, to designate Catoctin Mountain Park in the State of Maryland as the "Catoctin Mountain National Recreation Area", after agreeing to the committee amendments. **Page 26257**

California Public Land Order: Senate passed H.R. 1101, to revoke a Public Land Order with respect to certain lands erroneously included in the Cibola National Wildlife Refuge, California. **Page 26258**

New Shipper Review Amendment Act: Committee on Finance was discharged from further consideration of S. 695, to suspend temporarily new shipper bonding privileges, and the bill was then passed. **Page 26258**

Subsequently, the bill was then ordered held at the desk. **Page 26258**

Water for the Poor Act: Senate passed H.R. 1973, to make access to safe water and sanitation for developing countries a specific policy objective of the United States foreign assistance programs, clearing the measure for the President. **Page 26258**

Internet Corporation Oversight: Senate agreed to S. Res. 317, expressing the sense of the Senate regarding oversight of the Internet Corporation for Assigned Names and Numbers. **Page 26258**

Tax Relief Act: Senate began consideration of S. 2020, to provide for reconciliation pursuant to section 202(b) of the concurrent resolution on the budget for fiscal year 2006, taking action on the following amendments proposed thereto: **Pages 26113, 26115**

Pending:

Dorgan Amendment No. 2587, to amend the Internal Revenue Code of 1986 to impose a temporary windfall profit tax on crude oil and to rebate the tax collected back to the American consumer. **Page 26116**

Durbin Amendment No. 2596, to express the sense of the Senate concerning the provision of health care for children before providing tax cuts for the wealthy. **Page 26128**

A unanimous-consent-time agreement was reached providing for further consideration of the bill at approximately 10 a.m., on Thursday, November 17, 2005, with 10 hours of debate remaining. **Page 26260**

Science/State/Justice/Commerce Appropriations—Conference Report: By 94 yeas to 5 nays (Vote No. 329), Senate agreed to the conference report to accompany H.R. 2862, making appropriations for Science, the Department of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, clearing the measure for the President. **Page 26111**

China Currency—Agreement: A unanimous-consent agreement was reached to modify the order of July 1, 2005, with respect to S. 295, to authorize appropriate action in the negotiations with the People's Republic of China regarding China's undervalued currency are not successful, providing that the Majority Leader, after consultation with the Democratic Leader, shall, no later than March 31, 2006, call up the bill; with all other provisos remaining. **Page 26113**

Executive Reports of Committees: Senate received the following executive report from the Committee on Foreign Relations:

Report to accompany Convention Concerning Migratory Fish Stock in the Pacific Ocean (Treaty Doc. 109–1) (Ex. Rept. 109–8). **Page 26140**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting a draft of proposed legislation entitled "United States-Bahrain Free Trade Agreement Implementation Act"; which was referred to the Committee on Finance. (PM–32) **Page 26137**

Nominations Received: Senate received the following nominations:

Marc L. Kesselman, of Tennessee, to be General Counsel of the Department of Agriculture.

Richard T. Crowder, of Virginia, to be Chief Agricultural Negotiator, Office of the United States Trade Representative, with the rank of Ambassador.

Daniel Meron, of Maryland, to be General Counsel of the Department of Health and Human Services.

Claudia A. McMurray, of Virginia, to be Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs.

Peter N. Kirsanow, of Ohio, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2008. **Page 26260**

Messages From the House: **Page 26137**

Measures Referred: **Page 26138**

Measures Placed on Calendar: **Page 26138**

Measures Held at Desk: **Page 26138**

Executive Communications: **Page 26138**

Executive Reports of Committees: **Page 26139**

Additional Cosponsors: **Page 26140**

Statements on Introduced Bills/Resolutions: **Page 26141**

Additional Statements: **Page 26135**

Amendments Submitted: **Page 26151**

Authorities for Committees to Meet: **Page 26233**

Privileges of the Floor: **Page 26233**

Record Votes: Three record votes were taken today. (Total–329) **Pages 26095, 26111, 26113**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 7:25 p.m., until 9:30 a.m., on Thursday, November 17, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 26260.)

Committee Meetings

CAPITOL VISITOR CENTER

Committee on Appropriations: Subcommittee on Legislative Branch resumed hearings to examine the progress of Capitol Visitor Center construction, focusing on the estimate of the cost-to-complete the project, efforts to keep the project on schedule, and the status of critical activities such as stone installation and the utility tunnel construction, receiving testimony from Alan M. Hantman, Architect, and Robert C. Hixon, Jr., Capitol Visitor Center Project Manager, both of the Office of the Architect of the Capitol; Bernard L. Ungar, Director, and Terrell Dorn, Assistant Director, both of Physical Infrastructure Issues, Government Accountability Office; and Marvin Shenkler, Gilbane Company, Washington, D.C.

Hearing recessed subject to the call.

NOMINATIONS

Committee on Armed Services: Committee ordered favorably reported 2,442 military Nominations: in the Army, Navy, and Air Force.

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported the following business items:

S. 467, to extend the applicability of the Terrorism Risk Insurance Act of 2002, with an amendment in the nature of a substitute;

An original bill to authorize the Secretary of Homeland Security to award grants to public transportation agencies to improve security; and

The nominations of Ben S. Bernanke, of New Jersey, to be a Member and to be Chairman of the Board of Governors of the Federal Reserve System.

MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2005, after receiving testimony from James L. Connaughton, Chairman, Council on Environmental Quality; John H. Dunnigan, Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, Department of Commerce; Admiral James D. Watkins, U.S. Navy (Ret.), Chairman, U.S. Commission on Ocean Policy; and George LaPointe, State of Maine Department of Marine Resources, Augusta.

VEHICLE FRAUD

Committee on Commerce, Science, and Transportation: Subcommittee on Consumer Affairs, Product Safety, and Insurance concluded a hearing to examine how to protect the consumer from flooded and salvage vehicle fraud, focusing on efforts to provide greater protection to the car buying public and to ensure that the used vehicle marketplace operates more efficiently and fairly, after receiving testimony from William L. Brauch, Iowa Attorney General's Office, Des Moines; Karen Chappell, Virginia Department of Motor Vehicles, on behalf of American Association of Motor Vehicle Administrators, and Donald L. Hall, Virginia Automobile Dealers Association, on behalf of the National Automobile Dealers Association, both of Richmond; Robert M. Bryant, National Insurance Crime Bureau, Fairfax, Virginia; Rosemary Shahan, Consumers for Auto Reliability and Safety, Sacramento, California; and Alan Fuglestad, Experian Automotive, Schaumberg, Illinois.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported the following business items:

S. 310, to direct the Secretary of the Interior to convey the Newlands Project Headquarters and Maintenance Yard Facility to the Truckee-Carson Irrigation District in the State of Nevada;

S. 435, to amend the Wild and Scenic Rivers Act to designate a segment of the Farmington River and Salmon Brook in the State of Connecticut for study for potential addition to the National Wild and Scenic Rivers System, with an amendment;

S. 648, to amend the Reclamation States Emergency Drought Relief Act of 1991 to extend the authority for drought assistance;

S. 1025, to amend the Act entitled "An Act to provide for the construction of the Cheney division, Wichita Federal reclamation project, Kansas, and for other purposes" to authorize the Equus Beds Division of the Wichita Project, with an amendment;

S. 1096, to amend the Wild and Scenic Rivers Act to designate portions of the Musconetcong River in the State of New Jersey as a component of the National Wild and Scenic Rivers System;

S. 1310, to authorize the Secretary of the Interior to allow the Columbia Gas Transmission Corporation to increase the diameter of a natural gas pipeline located in the Delaware Water Gap National Recreation Area, with an amendment;

S. 1552, to amend Public Law 97–435 to extend the authorization for the Secretary of the Interior to release certain conditions contained in a patent concerning certain land conveyed by the United States to Eastern Washington University until December 31, 2009;

S. 1578, to reauthorize the Upper Colorado and San Juan River Basin endangered fish recovery implementation programs;

S. 1760, to authorize early repayment of obligations to the Bureau of Reclamation within Rogue River Valley Irrigation District or within Medford Irrigation District;

S. 1860, to amend the Energy Policy Act of 2005 to improve energy production and reduce energy demand through improved use of reclaimed waters, with an amendment in the nature of a substitute; and

The nominations of Jeffrey D. Jarrett to be Assistant Secretary for Fossil Energy, and Edward F. Sproat III to be Director, Office of Civilian Radioactive Waste Management, both of the Department of Energy.

TRANSPORTATION FUELS

Committee on Environment and Public Works: Committee concluded an oversight hearing to examine transportation fuels of the future, after receiving testimony from Red Cavaney, American Petroleum Institute, and Richard F. Goodstein, Air Products and Chemicals, Inc., both of Washington, D.C.; Jeffrey McDougall, JMA Energy Company, Oklahoma City, Oklahoma, on behalf of the Oklahoma Independent Petroleum Association; Bill Honnef, VeraSun Energy, Brookings, South Dakota; and John B. Holmes, Jr., Syntroleum Corporation, Tulsa, Oklahoma.

OIL CONSUMPTION

Committee on Foreign Relations: Committee concluded a hearing to examine the new currency of foreign policy, focusing on the high costs of crude, including the effects of U.S. oil consumption on American foreign policy and on economic and security interests, after receiving testimony from James R. Schlesinger, Lehman Brothers, Washington, D.C.; and R. James Woolsey, Booz Allen Hamilton, McLean, Virginia.

HURRICANE KATRINA RESPONSE

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine how government can learn from the private sector's response to Hurricane Katrina, focusing on improving disaster readiness and response at all levels of government and within communities, after receiving testimony from David M. Ratcliffe, Southern Company, and Kevin T. Regan, Starwood Hotels and Resorts Worldwide, Inc., both of Atlanta, Georgia; Stanley S. Litow, IBM Corporation, Armonk, New York; and Jason F. Jackson, Wal-Mart Stores, Inc., Bentonville, Arkansas.

HABEAS REFORM

Committee on the Judiciary: Committee concluded a hearing to examine S. 1088, to establish streamlined procedures for collateral review of mixed petitions, amendments, and defaulted claims, after receiving testimony from Judge Howard D. McKibben, U.S. District Court for the District of Nevada, and Chairman of the Judicial Conference Committee on Federal-State Jurisdiction; Ronald Eisenberg, Philadelphia District Attorney's Office, Philadelphia, Pennsylvania; and Seth P. Waxman, Wilmer, Cutler, Pickering, Hale, and Dorr, Washington, D.C., former Solicitor General of the United States.

NEW FEDERAL JUDGESHIPS

Committee on the Judiciary: Subcommittee on Administrative Oversight and the Courts concluded a hearing to examine issues relative to creating new Federal judgeships, focusing on recommendations of the Judicial Conference Committee on Judicial Resources, after receiving testimony from W. Royal Furgeson, Jr., District Judge for the Western District of Texas, and Chairman of the Judicial Conference Committee on Judicial Resources; William H. Steele, U.S. District Judge for the Southern District of Alabama; Robyn J. Spalter, Federal Bar Association, Miami, Florida; and Marc Galanter, University of Wisconsin, Madison.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 19 public bills, H.R. 4337–4355, 6 resolutions, H.J. Res. 72; H. Con. Res. 300–302 and H. Res. 556–557 were introduced. **Page 26540**

Additional Cosponsors: **Page 26541**

Reports Filed: Reports were filed today as follows:

H.R. 125, to authorize the Secretary of the Interior to construct facilities to provide water for irrigation, municipal, domestic, military, and other uses from the Santa Margarita River, California, and for other purposes, with an amendment (H. Rept. 109–297, Pt. 1);

H.R. 3351, to make technical corrections to laws relating to Native Americans, with an amendment (H. Rept. 109–298, Pt. 1);

H.R. 3889, to further regulate and punish illicit conduct relating to methamphetamine, with amendments (H. Rept. 109–299, Pt. 1); and

H. Res. 558, providing for consideration of the joint resolution (H.J. Res. 72) making further continuing appropriations for the fiscal year 2006 (H. Rept. 109-301);

H. Res. 559, waiving points of order against the conference report to accompany the bill (H.R. 3010) making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes (H. Rept. 109-302);

H. Res. 560, providing for consideration of the bill (H.R. 4241) to provide for reconciliation pursuant to section 201(a) of the concurrent resolution on the budget for fiscal year 2006 (H. Rept. 109-303); and

Conference report on H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006 (H. Rept. 109–300). **Page 26539**

Speaker: Read a letter from the Speaker wherein he appointed Representative Aderholt to act as Speaker Pro Tempore for today. **Page 26261**

Discharge Petition: Representative Edwards moved to discharge the Committee on Rules from the consideration of H. Res. 271, providing for the consideration of H.R. 808, to amend title 10, United States Code, to repeal the offset from surviving spouse annuities under the military Survivor Benefit Plan for amounts paid by the Secretary of Veterans Affairs as dependency and indemnity compensation (Discharge Petition No. 3).

Suspensions: The House agreed to suspend the rules and pass the following measures:

Hurricane Regulatory Relief Act of 2005: H.R. 3975, amended, to ease the provision of services to individuals affected by Hurricanes Katrina and Rita; **Page 26267**

To render nationals of Denmark eligible to enter the United States as nonimmigrant traders and investors: H.R. 3647, amended, to render nationals of Denmark eligible to enter the United States as nonimmigrant traders and investors; **Page 26275**

To amend title 17, United States Code, to make technical corrections relating to copyright royalty judges: H.R. 1036, amended, to amend title 17, United States Code, to make technical corrections relating to copyright royalty judges; **Page 26276**

Agreed to amend the title so as to read "A bill to amend title 17, United States Code, to make technical corrections relating to Copyright Royalty Judges, and for other purposes.". **Page 26278**

To make technical corrections to the United States Code: H.R. 866, to make technical corrections to the United States Code; **Page 26278**

To complete the codification of title 46, United States Code, "Shipping", as positive law: H.R. 1442, amended, to complete the codification of title 46, United States Code, "Shipping", as positive law; **Page 26280**

Expressing the sense of the House of Representatives that the United States Court of Appeals for the Ninth Circuit deplorably infringed on parental rights in Fields v. Palmdale School District: H. Res. 547, Expressing the sense of the House of Representatives that the United States Court of Appeals for the Ninth Circuit deplorably infringed on parental rights in Fields v. Palmdale School District, by a yea-and-nay vote of 320 yeas to 91 nays with 12 voting "present", Roll No. 591; **Pages 26347, 26379**

Native American Technical Corrections Act of 2005: H.R. 3351, amended, to make technical corrections to laws relating to Native Americans; **Page 26353**

To authorize the Government of Ukraine to establish a memorial on Federal land in the District of Columbia to honor the victims of the manmade famine that occurred in Ukraine in 1932–1933: H.R. 562, amended, to authorize the Government of Ukraine to establish a memorial on Federal land in the District of Columbia to honor the victims of the manmade famine that occurred in Ukraine in 1932–1933; **Page 26356**

To provide for the preservation of the historic confinement sites where Japanese Americans were detained during World War II: H.R. 1492, amended, to provide for the preservation of the historic confinement sites where Japanese Americans were detained during World War II; **Page 26357**

Expressing the sense of the Congress that the Russian Federation must protect intellectual property rights: H.

Con. Res. 230, to express the sense of the Congress that the Russian Federation must protect intellectual property rights, by a yea-and-nay vote of 421 yeas to 2 nays, Roll No. 593; **Pages 26362, 26394**

To authorize the Secretary of the Navy to enter into a contract for the nuclear refueling and complex overhaul of the U.S.S. "Carl Vinson" (CVN–70): H.R. 4326, to authorize the Secretary of the Navy to enter into a contract for the nuclear refueling and complex overhaul of the U.S.S. *Carl Vinson* (CVN–70); **Page 26367**

Expressing the sense of the Congress regarding oversight of the Internet Corporation for Assigned Names and Numbers: H. Con. Res. 268, to express the sense of the Congress regarding oversight of the Internet Corporation for Assigned Names and Numbers, by a yea-and-nay vote of 423 yeas with none voting "nay", Roll No. 594; and **Pages 26369, 26395**

National Flood Insurance Program Further Enhanced Borrowing Authority Act of 2005: H.R. 4133, to temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the national flood insurance program. **Page 26373**

Suspension: The House agreed to suspend the rules and pass the following measure which was debated on Tuesday, November 15th:

Child Medication Safety Act of 2005: H.R. 1790, amended, to protect children and their parents from being coerced into administering a controlled substance or a psychotropic drug in order to attend school, by a yea-and-nay vote of 407 yeas to 12 nays with 1 voting "present", Roll No. 590. **Page 26379**

Agreed to amend the title so as to read: "A bill to protect children and their parents from being coerced into administering a controlled substance in order to attend school, and for other purposes.". **Page 26379**

Suspensions—Proceedings Postponed: The House completed debate on the following measures under suspension of the rules. Further consideration will continue at a later date:

Recognizing the 60th anniversary of the disappearance of the 5 naval Avenger torpedo bombers of Flight 19 and the naval Mariner rescue aircraft sent to search for Flight 19: H. Res. 500, amended, to Recognize the 60th anniversary of the disappearance of the 5 naval Avenger torpedo bombers of Flight 19 and the naval Mariner rescue aircraft sent to search for Flight 19; and **Page 26365**

Condemning in the strongest terms the terrorist attacks that occurred on November 9, 2005, in Amman, Jordan: H. Res. 546, amended, to condemn in the strongest terms the terrorist attacks that occurred on November 9, 2005, in Amman, Jordan. **Page 26380**

United States Boxing Commission Act: The House failed to pass H.R. 1065, to establish the United States Boxing Commission to protect the general welfare of boxers and to ensure fairness in the sport of professional boxing, by a yea-and-nay vote of 190 yeas to 233 nays, Roll No. 592. **Page 26383**

Pursuant to the rule, in lieu of the amendments reported by the Committees on Energy and Commerce and the Judiciary now printed in the bill, the amendment in the nature of a substitute printed in part A of H. Rept. 109–295 shall be considered as an original bill for the purpose of amendment and shall be considered as read. **Page 26388**

Agreed to:

Stearns managers amendment (No. 1 printed in H. Rept. 109–295) which clarifies that fees authorized to be collected shall be available to fund the operations of the Commission and the administration of the Act. The amendment also clarifies that offsetting collections are available to the Commission subject to appropriation; **Page 26391**

Schakowsky amendment (No. 2 printed in H. Rept. 109–295) that adds additional protections for professional boxers by also requiring the Boxing Commission to: (1) require a copy of any contract for a boxing match; (2) establish minimum standards for the availability of medical services at professional boxing matches; (3) encourage a life, accident, and health insurance fund for professional boxers and other members of the professional boxing community; (4) conduct discussions and enter into agreements with foreign boxing entities on methods of applying minimum health standards to foreign boxing events and foreign boxers, trainers, cut men, referees, ringside physicians, and other professional boxing personnel; **Page 26391**

Schakowsky amendment (No. 4 printed in H. Rept. 109–295) that requires the Boxing Commission to establish guidelines for rating boxers; these guidelines must be followed by organizations that sanction boxing events; and **Page 26392**

Sodrel amendment, as modified (No. 5 printed in H. Rept. 109–295) that strikes section 14 in its entirety. As modified, amendment inserts provisions for receipts credited as offsetting collections in lieu of provisions relating to authorization of appropriations. **Page 26392**

H. Res. 553, the rule providing for consideration of the bill was agreed to by a yea-and-nay vote of 366 yeas to 56 nays, Roll No. 589, after agreeing to order the previous question by voice vote. **Page 26376**

Veterans' Compensation Cost-of-Living Adjustment Act of 2005: The House agreed by unanimous consent to S. 1234, to increase, effective as of December 1, 2005, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans—clearing the measure for the President. **Page 26395**

Amending the Internal Revenue Code of 1986 to provide for Gulf tax credit bonds and advance refundings of certain tax-exempt bonds, and to provide a Federal guarantee of certain State bonds: The House agreed by unanimous consent to H.R. 4337, to amend the Internal Revenue Code of 1986 to provide for Gulf tax credit bonds and advance refundings of certain tax-exempt bonds, and to provide a Federal guarantee of certain State bonds. **Page 26401**

Presidential Message: Read a message from the President wherein he transmitted legislation and supporting documents to implement the United Staes-Bahrain Free Trade Agreement—referred to the Committee on Ways and Means and ordered printed (House Doc. 109–71). **Page 26537**

Senate Message: Messages received from the Senate today appear on pages 26261, 26394, and 26421.

Senate Referrals: S. Con. Res. 62 was referred to the Committee on House Administration. **Page 26538**

Quorum Calls—Votes: Six yea-and-nay votes developed during the proceedings today and appear on pages 26378–80 and 26393–95. There were no quorum calls.

Recess: The House recessed at 9:51 p.m. and reconvened at 7:59 a.m. on Thursday, November 17th.

Adjournment: The House met at 10 a.m. and adjourned at 8 a.m. on Thursday, November 17th.

Committee Meetings

AVIAN INFLUENZA ISSUES

Committee on Agriculture: Held a hearing to review issues related to the prevention, detection, and eradication of avian influenza. Testimony was heard from W. Ron DeHaven, Administrator, Animal and Plant Health Inspection Service, USDA.

U.S. IMMIGRATION POLICY—IMPACT ON AMERICAN ECONOMY

Committee on Education and the Workforce: Held a hearing on U.S. Immigration Policy and Its Impact on the American Economy. Testimony was heard from Douglas Holtz-Eakin, Director, CBO; and public witnesses.

COPYRIGHT USE

Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protection held a hearing entitled "Fair Use: Its Effects on Consumers and Industry." Testimony was heard from public witnesses.

SUPERFUND LAWS AND ANIMAL AGRICULTURE

Committee on Energy and Commerce: Subcommittee on Environment and Hazardous Materials held a hearing entitled "Superfund Laws and Animal Agriculture." Testimony was heard from Barry Breen, Deputy Assistant Administrator, Office of Solid Waste and Emergency Response, EPA; Kelly Hunter Burch, Chief of Environmental Protection Unit and Assistant Attorney General, Office of the Attorney General, State of Oklahoma; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Financial Services: Ordered reported, as amended, the following bills: H.R. 3422, Small Public Housing Authority Act; H.R. 2695, Safe Housing Identity Exception for the Lives of Domestic Violence Victims Act; H.R. 4320, National Flood Insurance Program Commitment to Policyholders and Reform Act of 2005; H.R. 4314, Terrorism Risk Insurance Revision Act of 2005; and H.R. 3505, Financial Services, Regulatory Relief Act.

MISCELLANEOUS MEASURES; INVESTIGATIVE REPORT—RAFAEL PALMEIRO'S TESTIMONY

Committee on Government Reform: Ordered reported the following: H.R. 3934, To designate the facility of the United States Postal Service located at 80 Killian Road in Massapequa, New York, as the "Gerard A. Fiorenza Post Office"; H.R. 4101, To designate the facility of the United States Postal Service located at 170 East Main Street in Patchogue, New York, as the "Lieutenant Michael P. Murphy Post Office Building;" H.R. 4107, To designate the facility of the United States Postal Service located at 1826 Pennsylvania Avenue in Baltimore, Maryland, as the "Maryland State Delegate Lena K. Lee Post Office Building"; H.R. 4108, To designate the facility of the United States Postal Service located at 3000 Homewood Avenue, Baltimore, Maryland, as the "State Senator Verda Welcome and Dr. Henry Welcome Post Office Building"; H.R. 4109, amended, To designate the United States Postal Service located at 6101 Liberty Road in Baltimore, Maryland, as the "United States Representative Parren J. Mitchell Post Office"; H.R. 4152, To designate the United States Postal Service located at 320 High Street in Clinton, Massachusetts, as the "Raymond J. Salmon Post Office"; H. Con. Res. 218, Recognizing the centennial of sustained immigration from the Phillippines to the United States and acknowledging the contributions of our Filipino-American community to our country over the last century; H.R. 4295, To designate the facility of the United States Postal Service located at 12760 South Park Avenue in Riverton, Utah, as the "Mont and Mark Stephensen Veterans Memorial Post Office Building"; H. Con. Res. 289, Supporting the goal and mission of American Recycles Day; and H. Res. 487, Supporting the goals and ideals of Korean American Day.

The Committee also approved an Investigative Report, Investigation into Rafael Palmeiro's March 17, 2005 Testimony at the Committee on Government Reform's Hearing: "Restoring Faith in America's Pastime: Evaluating Major League Baseball's Efforts to Eradicate Steroid Use."

HIGH GAS PRICES—AMERICAN WORKFORCE

Committee on Government Reform: Subcommittee on Federal Workforce and Agency Organization held a hearing entitled "Mitigating the Impact of High Gas Prices on the American Workforce." Testimony was heard from Representatives Wolf and Moran of Virginia; Daniel A. Green, Deputy Associate Director, Employee and Family Support Policy, OPM; Dan Matthews, Chief Information Officer, Department of Transportation; and public witnesses.

BORDER SECURITY AND TERRORISM PREVENTION ACT OF 2005

Committee on Homeland Security: Began markup of H.R. 4312, Border Security and Terrorism Prevention Act of 2005.

Will continue tomorrow.

MISCELLANEOUS MEASURES; U.S.-INDIA GLOBAL PARTNERSHIP

Committee on International Relations: Favorably considered and adopted a motion urging the chairman to request that the following measures be considered on the Suspension Calendar: H. Con. Res. 190, Expressing the sense of the Congress that the Russian Federation should fully protect the freedoms of all religious communities without distinction, whether registered and unregistered, as stipulated by the Russian Constitution and international standards; H. Con. Res. 275, Expressing the sense of Congress regarding the education curriculum in the Kingdom of Saudi Arabia; H. Con. Res. 280, Mourning the horrific loss of life caused by the floods and mudslides that occurred in October 2005 in Central America and Mexico and expressing the sense of Congress that the United States should do everything possible to assist the affected people and communities; H. Con. Res. 284, amended, Expressing the sense of Congress with respect to the 2005 presidential and parliamentary elections in Egypt; H. Con. Res. 294, Calling on the international community to condemn the Laogai, the system of forced labor prison camps in the People's Republic of China, as a tool for suppression maintained by the Chinese Government; H. Res. 438, amended, Urging member states of the United Nations to stop supporting resolutions that unfairly castigate Israel and to promote within the United Nations General Assembly more balanced and constructive approaches to resolving conflict in the Middle East; H. Res. 456, Expressing support for the memorandum of understanding signed by the Government of the Republic of Indonesia and the Free Aceh Movement on August 15, 2005, to end the conflict in Aceh, a province in Sumatra, Indonesia; H. Res. 458, Remembering and commemorating the lives and work of Maryknoll Sisters Maura Clarke and Ita Ford, Ursuline Sister Dorothy Kazel, and Cleveland Lay Mission Team Member Jean Donovan, who were executed by members of the armed forces of El Salvador on December 2, 1980; H. Res. 479, amended, Recognizing the 50th Anniversary of the Hungarian Revolution that began on October 23, 1956 and reaffirming the friendship between the people and governments of the United States and Hungary; H. Res. 499, Condemning the murder of American journalist Paul Klebnikov on July 9, 2004, in Moscow and the murders of other members of the media in the Russian Federation; H. Res. 529, amended, Recommending the integration of the Republic of Croatia into the North Atlantic Treaty Organization; and H. Res. 535, Honoring the life, legacy, and example of Israeli Prime Minister Yitzhak Rabin on the tenth anniversary of his death.

The Committee also held a hearing on the U.S.-India Global Partnership: How Significant for American Interests? Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on International Relations: Subcommittee on Europe and Emerging Threats approved for full Committee action the following resolutions: H. Res. 479, amended, Recognizing the 50th Anniversary of the Hungarian Revolution that began on October 23, 1956 and reaffirming the friendship between the people and governments of the United States and Hungary; H. Res. 499, Condemning the murder of American journalist Paul Klebnikov on July 9, 2004, in Moscow and the murders of other members of the media in the Russian Federation; and H. Res. 529, amended, Recommending the integration of the Republic of Croatia into the North Atlantic Treaty Organization.

MISCELLANEOUS MEASURES

Committee on Resources: Ordered reported the following bills: H.R. 452, To authorize the Secretary of the Interior to conduct a study to determine the suitability and feasibility of designating the Soldiers' Memorial Military Museum located in St. Louis, Missouri, as a unit of the National Park System; H.R. 1071, amended, Desalination Drought Protection Act of 2005; H.R. 1090, amended, To designate a Forest Service trail at Walso Lake in the Willamette National Forest in the State of Oregon as a national recreation trail in honor of Jim Weaver, a former Member of the House of Representatives; H.R. 1190, amended, San Diego Water Storage and Efficiency Act of 2005; H.R. 1595, amended, Guam World War II Loyalty Recognition Act; H.R. 1728, amended, French Colonial Heritage National Historic Site Study Act of 2005; H.R. 2720, Salt Cedar and Russian Olive Control Demonstration Act; H.R. 3124, amended, Delaware Water Gap National Recreation Area Natural Gas Pipeline Enlargement Act; H.R. 3153, Upper Colorado and San Juan

Basin Endangered Fish Recovery Implementation Programs Reauthorization Act of 2005; H.R. 3626, amended, Arthur V. Watkins Dam Enlargement Act of 2005; H.R. 3897, amended, Madera Water Supply and Groundwater Enhancement Project Act; H.R. 3929, amended, Dana Point Desalination Project Authorization Act; H.R. 4192, To authorize the Secretary of the Interior, to designate the President William Jefferson Clinton Birthplace Home in Hope, Arkansas, as a National Historic Site and unit of the National Park System; H.R. 4195, Southern Oregon Bureau of Reclamation Repayment Act of 2005; H.R. 4292, To amend Public Law 107–153 to further encourage the negotiated settlement of tribal claims; and S. 362, amended, Marine Debris Research, Prevention and Reduction Act.

CONTINUING APPROPRIATIONS FY 2006

Committee on Rules: Granted, by voice vote, a closed rule providing one hour of debate on H.J. Res. 72, making continuing appropriations for the fiscal year 2006, in the House equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the joint resolution. The rule provides one motion to recommit. Finally, the rule provides that H. Res. 542 is laid on the table.

CONFERENCE REPORT—LABOR, HHS, EDUCATIONAND RELATED AGENCIES APPROPRIATIONS, FY 2006

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report on H.R. 3010, Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2006, and against its consideration. The rule provides that the conference report shall be considered as read.

DEFICIT REDUCTION ACT OF 2005

Committee on Rules: Granted, by voice vote, a closed rule providing 2 hours of debate in the House on H.R. 4241, Deficit Reduction Act of 2005, equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget. The rule waives all points of order against consideration of the bill. The rule provides that the amendment printed in the Rules Committee report accompanying the resolution shall be considered as adopted. The rule waives all points of order against provisions in the bill, as amended. The rule provides one motion to recommit with or without instructions. The rule provides that, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker. The rule provides that after passage of H.R. 4241, it shall be in order to take from the Speaker's table S. 1932 and to consider the Senate bill in the House. The rule waives all points of order against S. 1932 and against its consideration. The rule provides for a motion to strike all after the enacting clause of S. 1932 and to insert in lieu thereof the provisions of H.R. 4241 as passed by the House. The rule waives all points of order against the motion to strike and insert.

NOAA WEATHER SATELLITES

Committee on Science: Held a hearing on Ongoing Problems and Future Plans for NOAA Weather Satellites. Testimony was heard from VADM Conrad C. Lautenbacher, Jr., USN (Ret.), Administrator, NOAA, Department of Commerce; Ronald M. Sega, Under Secretary, Air Force, Department of Defense; David Powner, Director, Information Technology Management Issues, GAO; and a public witness.

INDIVIDUAL TAX PROPOSALS

Committee on Ways and Means: Subcommittee on Select Revenue Measures held a hearing on individuals tax proposals. Testimony was heard from Representatives Cardin, Foley, Tom Davis of Virginia, Ryun of Kansas, Stearns, Fattah, Fossella, Baird, Simmons, Conway, Baldwin, Keller, Garrett, Fortuno, Wolf, Gingrey, Weldon of Pennsylvania, Rohrabacher and Wilson of South Carolina.

Joint Meetings

COAST GUARD AND MARITIME TRANSPORTATION ACT

Conferees met to resolve the differences between the Senate and House passed versions of H.R. 889, to authorize appropriations for the Coast Guard for fiscal year 2006, to make technical corrections to various laws administered by the Coast Guard, but did not complete action thereon, and recessed subject to the call.

APPROPRIATIONS: LABOR/HHS/EDUCATION

Conferees agreed to file a conference report on the differences between the Senate- and House-passed versions of H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006.

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Thursday, November 17, 2005

Senate

Chamber Action

Routine Proceedings, pages 26979–27201

Measures Introduced: Twenty-four bills and four resolutions were introduced, as follows: S. 2028–2051, S. Res. 318–319, and S. Con. Res. 65–66. **Page 27074**

Measures Reported:

S. 1390, to reauthorize the Coral Reef Conservation Act of 2000, with amendments. (S. Rept. No. 109–182)

S. 2029, to amend and enhance certain maritime programs of the Department of Transportation. (S. Rept. No. 109–183)

S. 1354, to establish commissions to review the facts and circumstances surrounding injustices suffered by European Americans, European Latin Americans, and Jewish refugees during World War II.

S. 1614, to extend the authorization of programs under the Higher Education Act of 1965, with an amendment in the nature of a substitute.

S. 1789, to prevent and mitigate identity theft, to ensure privacy, to provide notice of security breaches, and to enhance criminal penalties, law enforcement assistance, and other protections against security breaches, fraudulent access, and misuse of personally identifiable information, with an amendment in the nature of a substitute.

S. 1961, to extend and expand the Child Safety Pilot Program.

S. 2006, to provide for recovery efforts relating to Hurricanes Katrina and Rita for Corps of Engineers projects, with amendments.

S. 2032, to authorize the Secretary of Homeland Security to award grants to public transportation agencies to improve security. **Page 27074**

Measures Passed:

Housing and Service Needs of Seniors: Senate passed S. 705, to establish the Interagency Council on Meeting the Housing and Service Needs of Seniors, after agreeing to the committee amendment in the nature of a substitute. **Page 27171**

Tax Relief Act: By 64 yeas to 33 nays (Vote No. 347), Senate passed S. 2020, to provide for reconciliation pursuant to section 202(b) of the concurrent resolution on the budget for fiscal year 2006, after taking action on the following amendments proposed thereto: **Page 26984**

Adopted:

Grassley/Baucus Modified Amendment No. 2647, to provide an extension and increase in minimum tax relief to individuals. **Page 27027**

Obama Amendment No. 2605, expressing the sense of the Senate that the Federal Emergency Management Agency should immediately address issues relating to no-bid contracting. **Pages 27003, 27038**

Nelson (NE)/DeWine Amendment No. 2625, to require the Secretary of the Treasury to establish a disability preference program for qualified tax collection contracts. **Pages 27034, 27044**

Dayton Amendment No. 2658, to provide valuation of employee personal use of noncommercial aircraft. **Page 27048**

Landrieu/Vitter Amendment No. 2669, to provide housing relief for individuals affected by Hurricane Katrina. **Page 27049**

Craig/Rockefeller Amendment No. 2655, to express the sense of Congress regarding the conditions for the United States to become a signatory to any multilateral agreement on trade resulting from the World Trade Organization's Doha Development Agenda Round. **Page 27049**

Grassley/Baucus Amendment No. 2670, to make certain improvements to the bill. **Page 27051**

Rejected:

Baucus (for Reid) Modified Amendment No. 2653, to amend the Internal Revenue Code of 1986 to extend through 2010 certain tax incentives for renewable energy production and energy efficient building construction. **Pages 27032, 27040, 27042**

Bingaman/Kerry Amendment No. 2642, to provide for a tax credit for offering employer-based health insurance coverage. **Pages 27033, 27043**

Durbin Amendment No. 2623, to reduce the tax on Patriot employers. **Pages 27034, 27044**

Snowe Amendment No. 2667, to impose withholding on certain payments made by government entities and to use the revenues collected to fund programs under the Low-Income Home Energy Assistance Act of 1981 through a trust fund. **Page 27050**

Withdrawn:

Lincoln Amendment No. 2652, to modify the income threshold used to calculate the refundable portion of the child tax credit. **Page 27041**

During consideration of this bill, Senate also took the following action:

By 44 yeas to 55 nays (Vote No. 330), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive certain provisions of the Congressional Budget Act of 1974, with respect to Conrad Amendment No. 2602, in the nature of a substitute. Subsequently, the Chair sustained a point of order that Conrad Amendment No. 2602, was not germane, and the amendment thus fell. **Page 26984**

By 35 yeas to 64 nays (Vote No. 331), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive certain provisions of the Congressional Budget Act of 1974, with respect to Dorgan Amendment No. 2587, to amend the Internal Revenue Code of 1986 to impose a temporary windfall profit tax on crude oil and to rebate the tax collected back to the American consumer. Subsequently, the Chair sustained a point of order that Dorgan Amendment No. 2587, was not germane, and the amendment thus fell. **Pages 26984, 27014**

By 48 yeas to 51 nays (Vote No. 332), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive certain provisions of the Congressional Budget Act of 1974, with respect to Feinstein Amendment No. 2609, to repeal certain tax benefits, relating to oil and gas wells intangible drilling and development costs. Subsequently, the Chair sustained a point of order that Feinstein Amendment No. 2609, was not germane, and the amendment thus fell. **Pages 26994, 27015**

By 40 yeas to 59 nays (Vote No. 333), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive certain provisions of the Congressional Budget Act of 1974, with respect to Feinstein/Kerry Amendment No. 2610, to reinstate for millionaires a top individual income tax rate of 39.6 percent, the pre-May 2003 rates of tax on capital gains and dividends, and to repeal the reduction and termination of the phase out of personal exemptions and overall limitation on itemized deductions, until the Federal budget deficit is eliminated. Subsequently, the Chair sustained a point of order that Feinstein Amendment No. 2610, was not germane, and the amendment thus fell. **Pages 26994, 27001, 27015**

By 57 yeas to 42 nays (Vote No. 334), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive certain provisions of the Congressional Budget Act of 1974, with respect to Cantwell Amendment No. 2612, to improve the Federal Trade Commission's ability to protect consumers from price-gouging during energy emergencies. Subsequently, the Chair sustained a point of order that Cantwell Amendment No. 2612, was not germane, and the amendment thus fell. **Pages 26997, 27016**

By 51 yeas to 47 nays (Vote No. 335), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive certain provisions of the Congressional Budget Act of 1974, with respect to Lott Amendment No. 2633, to clarify treatment of outside income and expenses in the Senate. Subsequently, the Chair sustained a point of order that Lott Amendment No. 2633, was not germane, and the amendment thus fell. **Pages 27017, 27027, 27036**

By 53 yeas to 45 nays (Vote No. 336), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 313 (b)(1)(A) of the Congressional Budget Act of 1974, with respect to Grassley Amendment No. 2654, to express the sense of the Senate. Subsequently, the Chair sustained the point of order that the amendment was in violation of the Byrd Rule, and the amendment thus fell. **Page 27037**

By 43 yeas to 55 nays (Vote No. 337), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive certain provisions of the Congressional Budget Act of 1974, with respect to Durbin Amendment No. 2596, to express the sense of the Senate concerning the provision of health care for children before providing tax cuts for the wealthy. Subsequently, the Chair sustained a point of order that Durbin Amendment No. 2596, was not germane, and the amendment thus fell. **Page 27038**

By 36 yeas to 62 nays (Vote No. 338), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive certain provisions of the Congressional Budget Act of 1974, with respect to Kennedy/Landrieu Amendment No. 2588, to eliminate child poverty. Subsequently, the Chair sustained the point of order that Kennedy/Landrieu Amendment No. 2588, was not germane, and the amendment thus fell. **Pages 27005, 27038**

By 50 yeas to 48 nays (Vote No. 339), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive certain provisions of the Congressional Budget Act of 1974, with respect to Reed Amendment No. 2626, to impose a temporary windfall profits tax on crude oil and to use the proceeds of the tax collected to fund programs under the Low-Income Energy Assistance Act of 1981 through a trust fund. Subsequently, the Chair sustained a point of order that Reed Amendment No. 2626, was not germane, and the amendment thus fell. **Pages 27010, 27039**

By 50 yeas to 48 nays (Vote No. 340), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive certain provisions of the Congressional Budget Act of 1974, with respect to Feingold Amendment No. 2650, to fully reinstate the pay-as-you-go requirement through 2010. Subsequently, the Chair sustained the point of order that Feingold Amendment No. 2650 was not germane, and the amendment thus fell. **Pages 27028, 27035, 27040**

Chair sustained a point of order against Sununu Amendment No. 2651, to repeal State and local taxation exemptions applicable to the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation, as being in violation of sections 305(b) and 310(e) of the Congressional Budget Act of 1974, and the amendment thus fell. **Pages 27029, 27041**

By 33 yeas to 65 nays (Vote No. 341), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive certain provisions of the Congressional Budget Act of 1974, with respect to Schumer Amendment No. 2635, to amend the Internal Revenue Code of 1986 to impose a temporary windfall profit tax on crude oil and to use the proceeds of the tax collected to provide a nonrefundable tax credit of $100 for every personal exemption claimed for taxable years beginning in 2005. Subsequently, the Chair sustained the point of order that Schumer Amendment No. 2635 was not germane, and the amendment thus fell. **Pages 27030, 27036, 27042**

By 51 yeas to 47 nays (Vote No. 342), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive certain provisions of the Congressional Budget Act of 1974, with respect to Nelson (FL) Amendment No. 2601, to amend title XVIII of the Social Security Act to provide extended and additional protection to Medicare beneficiaries who enroll for the Medicare prescription drug benefit during 2006. Subsequently, the Chair sustained the point of order that Nelson (FL) Amendment No. 2601, was not germane, and the amendment thus fell. **Pages 27033, 27042**

By 43 yeas to 55 nays (Vote No. 343), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive certain provisions of the Congressional Budget Act of 1974, with respect to Boxer Amendment No. 2634, to provide an additional $500,000,000 for each of fiscal years 2006 through 2010, to be used for readjustment counseling, related mental health services, and treatment and rehabilitative services for veterans with mental illness, post-traumatic stress disorder, or substance use disorder. Subsequently, the Chair sustained the point of order that Boxer Amendment No. 2634, was not germane, and the amendment thus fell. **Page 27044**

By 55 yeas to 43 nays (Vote No. 344), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive under section 305(b) of the Congressional Budget Act of 1974, with respect to Kerry/Obama Amendment No. 2616, to accelerate marriage penalty relief for the earned income tax credit, to extend the election to include combat pay in earned income, and to make modifications of effective dates of leasing provisions of the American Jobs Creation Act of 2004. Subsequently, the Chair sustained the point of order that Kerry/Obama Amendment No. 2616 was not germane, and the amendment thus fell. **Page 27045**

By 47 yeas to 51 nays (Vote No. 345), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive certain provisions of the Congressional Budget Act of 1974, with respect to Dayton Amendment No. 2629, to allow a refundable tax credit for the energy costs of farmers and ranchers, and to modify the foreign tax credit rules applicable to dual capacity taxpayers. Subsequently, the Chair sustained the point of order that Dayton Amendment No. 2629 was not germane, and the amendment thus fell. **Page 27047**

By 42 yeas to 56 nays (Vote No. 346), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive certain provisions of the Congressional Budget Act of 1974, with respect to Harkin/Obama Amendment No. 2665, to amend the Internal Revenue Code of 1986 to restore the phaseout of personal exemptions and the overall limitation on itemized deductions and to modify the income threshold used to calculate the refundable portion of the child tax credit. Subsequently, the Chair sustained the point of order that Harkin/Obama Amendment No. 2665, was not germane, and the amendment thus fell. **Page 27048**

Wired For Health Care Quality Act: Senate passed S. 1418, to enhance the adoption of a nationwide interoperable health information technology system and to improve the quality and reduce the costs of health care in the United States, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Page 27178**

Frist (for Enzi) Amendment No. 2671, in the nature of a substitute. **Page 27189**

Terrorism Risk Insurance Extension Act: Senate passed S. 467, to extend the applicability of the Terrorism Risk Insurance Act of 2002, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Page 27195**

Frist (for Shelby) Amendment No. 2600, to make a modification. **Page 27200**

U.S.S. "Carl Vinson": Senate passed H.R. 4326, to authorize the Secretary of the Navy to enter into a contract for the nuclear refueling and complex overhaul of the U.S.S. *Carl Vinson* (CVN–70), clearing the measure for the President. **Page 27200**

Continuing Resolution—Agreement: A unanimous-consent agreement was reached providing that on Friday, November 18, 2005, Senate begin consideration of H.J. Res. 72, making further continuing appropriations for the fiscal year 2006; that Senator Harkin be recognized to offer an amendment relevant to CSBG, and that there be 20 minutes of debate on the amendment; that following the use or yielding back of time, Senate vote on or in relation to the amendment, to be followed by a vote on final passage of the resolution. **Page 27128**

Treaties Approved: The following treaties having passed through their various parliamentary stages, up to and including the presentation of the resolution of ratification, upon division, two-thirds of the Senators present having voted in the affirmative, the resolutions of ratification were agreed to:

Agreement with Canada on Pacific Hake/Whiting (Treaty Doc. 108–24);

Convention Strengthening Inter-American Tuna Commission (Treaty Doc. 109–2); and

Convention Concerning Migratory Fish Stock in the Pacific Ocean (Treaty Doc. 109–1). **Page 27200**

Nominations Received: Senate received the following nominations:

Dennis Bottorff, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2011.

Robert M. Duncan, of Kentucky, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2011.

William B. Sansom, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2009.

Howard A. Thrailkill, of Alabama, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2007.

Susan Richardson Williams, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for the term prescribed by law. **Page 27201**

Messages From the House: **Page 27072**

Measures Referred: **Page 27072**

Enrolled Bills Presented: **Page 27073**

Executive Communications: **Page 27073**

Executive Reports of Committee: **Page 27074**

Additional Cosponsors: **Page 27075**

Statements on Introduced Bills/Resolutions: **Page 27077**

Additional Statements: **Page 27070**

Amendments Submitted: **Page 27100**

Notices of Hearings/Meetings: **Page 27170**

Authorities for Committees to Meet: **Page 27170**

Privileges of the Floor: **Page 27171**

Record Votes: Eighteen record votes were taken today. (Total—347) **Pages 26992, 27015–17, 27037–43, 27045–48, 27060**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 12:58 a.m., on Friday, November 17, 2005 and will reconvene at 8:15 a.m. on the same day. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 27201.)

Committee Meetings

AVIAN INFLUENZA

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine the role of United States agriculture in the control and eradication of avian influenza, focusing on the healthcare system, antiviral drugs, and enhancement of quarantine stations, after receiving testimony from Ron DeHaven, Administrator, Animal and Plant Health Inspection Service, Department of Agriculture; Julie L. Gerberding, Director, Centers for Disease Control and Prevention, Department of Health and Human Services; Donald Waldrip, Wayne Farms, LLC, Oakwood, Georgia, on behalf of the National Chicken Council; S.H. Kleven, University of Georgia College of Veterinary Medicine Poultry Diagnostic and Research Center, Athens; Gretta Irwin, Iowa Turkey Federation, Ames, on behalf of the National Turkey Federation.

FINANCIAL PRODUCT SALES

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine a Government Accountability Office report on the sale of financial products to military personnel, focusing on actions needed to protect military members, after receiving testimony from Richard J. Hillman, Managing Director, Financial Markets and Community Investment, Government Accountability Office; John M. Molino, Deputy Under Secretary of Defense for Military Community and Family Policy; Lori Richards, Director, Office of Compliance Inspections and Examinations, U.S. Securities and Exchange Commission; John Oxendine, Georgia Commissioner of Insurance, Atlanta; and Mary Schapiro, National Association of Securities Dealers, Washington, D.C.

AVIATION SAFETY

Committee on Commerce, Science, and Transportation: Subcommittee on Aviation concluded a hearing to examine the Federal Aviation Administration's efforts to maintain a high level of safety through a safety oversight system, after receiving testimony from Marion Blakey, Administrator, Federal Aviation Administration, and Kenneth Mead, Inspector General, both of the Department of Transportation; John S. Carr, National Air Traffic Controllers Association, Basil J. Barimo, Air Transport Association of America, Inc., and Robert Roach, Jr., International Association of Machinists and Aerospace Workers, all of Washington, D.C.; and Christian A. Klein, Aeronautical Repair Station Association, Alexandria, Virginia.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the following business items:

S. 1110, to amend the Federal Hazardous Substances Act to require engine coolant and antifreeze to contain a bittering agent in order to render the coolant or antifreeze unpalatable, proposed Polar Bear Treaty, with amendments;

S. 2013, to amend the Marine Mammal Protection Act of 1972 to implement the Agreement on the Conservation and Management of the Alaska-Chukotka Polar Bear Population;

S. 1052, to improve transportation security, with an amendment in the nature of a substitute;

S. 65, to amend the age restrictions for pilots, with an amendment in the nature of a substitute;

S. 1102, to extend the aviation war risk insurance program for 3 years;

S. 517, to establish a Weather Modification Operations and Research Board, with an amendment in the nature of a substitute;

S. 687, to regulate the unauthorized installation of computer software, to require clear disclosure to computer users of certain computer software features that may pose a threat to user privacy, with an amendment in the nature of a substitute; and

The nominations of William E. Kovacic, of Virginia, J. Thomas Rosch, of California, each to be a Federal Trade Commissioner, and a Coast Guard Promotion List.

BUSINESS MEETING

Committee on Environment and Public Works: Committee ordered favorably reported the following business items:

S. 1496, to direct the Secretary of the Interior to conduct a pilot program under which up to 15 States may issue electronic Federal migratory bird hunting stamps, with an amendment;

S. 1165, to provide for the expansion of the James Campbell National Wildlife Refuge, Honolulu County, Hawaii, with an amendment;

S. 2006, to provide for recovery efforts relating to Hurricanes Katrina and Rita for Corps of Engineers projects, with an amendment;

S. 1708, to modify requirements relating to the authority of the Administrator of General Services to enter into emergency leases during major disasters and other emergencies; and

S. 2015, to provide a site for construction of a national health museum.

NEW ORLEANS' LEVEES

Committee on Environment and Public Works: Committee concluded a hearing to examine the degree to which the preliminary findings on the failure of the levees are being incorporated into the restoration of hurricane protection, after receiving testimony from Daniel H. Hitchings, Regional Business Director, Mississippi Valley Division, U.S. Army Corps of Engineers, Department of the Army; Thomas F. Zimmie, Rensselaer Polytechnic Institute Environmental Engineering Department, Troy, New York, on behalf of National Science Foundation Investigative Team; Sherwood Gagliano, Coastal Environments, Inc., and Joseph N. Suhayda, Louisiana State University, both of Baton Rouge, Louisiana; Larry Roth, American Society of Civil Engineers, Washington, D.C.; and Robert R.M. Verchick, Loyola University Law School, New Orleans, Louisiana.

AFRICAN ORGANIZATIONS

Committee on Foreign Relations: Subcommittee on African Affairs concluded a hearing to examine cross-continental progress relating to African organizations and institutions, focusing on the African Union and African sub-regional organizations to advance freedom, peace, and prosperity in Africa, after receiving testimony from Jendayi E. Frazer, Assistant Secretary of State for African Affairs; Lloyd O. Pierson, Assistant Administrator for Africa, U.S. Agency for International Development; and Victoria K. Holt, The Henry L. Stimson Center, and Jennifer G. Cooke, Center for Strategic and International Studies, both of Washington, D.C.

NATIONAL SECURITY PERSONNEL SYSTEM

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine regulations for the National Security Personnel System, focusing on the Department of Defense in partnership with the Office of Personnel Management, the establishment of a new civilian human resources management system to support the U.S. critical national security mission, after receiving testimony from Gordon R. England, Acting Deputy Secretary of Defense; Brad Bunn, Deputy Program Executive Officer, National Security Personnel System; Linda M. Springer, Director, and George Nesterczuk, Senior Advisor on Department of Defense, both of the Office of Personnel Management; David M. Walker, Comptroller General of the United States, Government Accountability Office; John Gage, American Federation of Government Employees, AFL–CIO, on behalf of the United Department of Defense Workers Coalition, and Ronald Ault, Metal Trades Department, AFL–CIO, both of Washington, D.C.; Dan Schember, Association of Civilian Technicians, Lake Ridge, Virginia; and Michael B. Styles, Alexandria, Virginia.

TRIBAL LOBBYING MATTERS

Committee on Indian Affairs: Committee continued oversight hearings to examine In Re Tribal Lobbying Matters, Et Al., focusing on lobbying fraud, receiving testimony from Italia Federici, Council of Republicans for Environmental Advocacy, Washington, D.C.

Hearing recessed subject to the call.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 1789, to prevent and mitigate identity theft, to ensure privacy, to provide notice of security breaches, and to enhance criminal penalties, law enforcement assistance, and other protections against security breaches, fraudulent access, and misuse of personally identifiable information, with an amendment in the nature of a substitute;

S. 1961, to extend and expand the Child Safety Pilot Program;

S. 1354, to establish commissions to review the facts and circumstances surrounding injustices suffered by European Americans, European Latin Americans, and Jewish refugees during World War II; and

The nominations of Joseph Frank Bianco, to be United States District Judge for the Eastern District of New York, Timothy Mark Burgess, to be United States District Judge for the District of Alaska, Gregory F. Van

Tatenhove, to be United States District Judge for the Eastern District of Kentucky, Eric Nicholas Vitaliano, to be United States District Judge for the Eastern District of New York, Kristi Dubose, of Alabama, to be United States District Judge for the Southern District of Alabama, W. Keith Watkins, of Alabama, to be United States District Judge for the Middle District of Alabama, Virginia Mary Kendall, of Illinois, to be United States District Judge for the Northern District of Illinois, Emilio T. Gonzalez, of Florida, to be Director of the Bureau of Citizenship and Immigration Services, Department of Homeland Security, and Catherine Lucille Hanaway, to be United States Attorney for the Eastern District of Missouri, Department of Justice.

FUTURE ASBESTOS CLAIMS

Committee on the Judiciary: Committee concluded a hearing to examine recent developments in assessing future asbestos claims under the FAIR Act, and S. 852, to create a fair and efficient system to resolve claims of victims for bodily injury caused by asbestos exposure, after receiving testimony from Douglas Holtz-Eakin, Director, Congressional Budget Office; Charles E. Bates, Bates White, LLC, and Laura Welch, Center to Protect Workers Rights, both of Washington, D.C.; Mark A. Peterson, Legal Analysis Systems, Thousand Oaks, California; Mark Lederer, Manville Personal Injury Settlement Trust, Katonah, New York; and Denis Neumann Martin, National Economic Research Associates Consulting, New York, New York.

NOMINATION

Select Committee on Intelligence: Committee ordered favorably reported the nomination of Dale W. Meyerrose, of Indiana, to be Chief Information Officer, Office of the Director of National Intelligence.

Prior to this action, committee concluded a closed hearing to examine the nomination of Dale W. Meyerrose, of Indiana, to be Chief Information Officer, Office of the Director of National Intelligence, after the nominee testified and answered questions in his own behalf.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 31 public bills, H.R. 4356–4386; and 12 resolutions, H.J. Res. 73; H. Con. Res. 303–306; and H. Res. 561–562, 566–570, were introduced. **Page 26976**

Additional Cosponsors: **Page 26978**

Reports Filed: Reports were filed today as follows:

H.R. 4297, to provide for reconciliation pursuant to section 201(b) of the concurrent resolution on the budget for fiscal year 2006, with an amendment (H. Rept. 109–304);

H.R. 3889, to further regulate and punish illicit conduct relating to methamphetamine, with amendments (H. Rept. 109–299, Pt. 2);

Conference report on H.R. 2528, making appropriations for military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2006 (H. Rept. 109–305); and

H. Res. 563, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 109–306).

Conference report on H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006 (H. Rept. 109-307);

H. Res. 564, waiving points of order against the conference report to accompany the bill (H.R. 2528) making appropriations for military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2006 (H. Rept. 109-308); and

H. Res. 565, waiving points of order against the conference report to accompany the bill (H.R. 3058) making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006 (H. Rept. 109-309). **Pages 26854, 26976**

Chaplain: The prayer was offered today by Rev. Paul C. Granillo, Director of Communications, Diocese of San Bernardino, California. **Page 26553**

Suspensions: The House agreed to suspend the rules and pass the following measure which was debated on Wednesday, November 16th:

Recognizing the 60th anniversary of the disappearance of the 5 naval Avenger torpedo bombers of Flight 19 and the naval Mariner rescue aircraft sent to search for Flight 19: H. Res. 500, amended, to Recognize the 60th anniversary of the disappearance of the 5 naval Avenger torpedo bombers of Flight 19 and the naval Mariner rescue aircraft sent to search for Flight 19, by a yea-and-nay vote of 420 yeas to 2 nays, Roll No. 597. **Page 26564**

Further Continuing Appropriations for the Fiscal Year 2006: The House agreed to H.J. Res. 72, making further continuing appropriations for the fiscal year 2006, by a yea and nay vote of 413 yeas to 16 nays, Roll No. 599. **Pages 26565, 26580**

H. Res. 558, the rule providing for consideration of the bill was agreed to by a yea-and-nay vote of 407 yeas to 21 nays, Roll No. 595. **Pages 26557, 26563**

Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2006: The House failed to agree to the conference report on H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, by a yea-and-nay vote of 209 yeas to 224 nays, Roll No. 598. **Page 26566**

H. Res. 559, the rule providing for consideration of the bill was agreed to by a yea-and-nay vote of 244 yeas to 185 nays, Roll No. 596, after agreeing to order the previous question by voice vote. **Pages 26560, 26564**

The House agreed to the motion to insist on its disagreement to the Senate amendment on H.R. 3010, by voice vote. **Page 26581**

Recess: The House recessed at 2:31 p.m. and reconvened at 8:18 p.m. **Page 26581**

Deficit Reduction Act of 2005: The House passed H.R. 4241, to provide for reconciliation pursuant to section 201(a) of the concurrent resolution on the budget for fiscal year 2006, by a recorded vote of 217 ayes to 215 noes, Roll No. 601. **Page 26593**

Agreed by unanimous consent that staff be authorized to make technical and conforming corrections to the text of H.R. 4241, as passed by the House. **Page 26705**

Agreed by unanimous consent to Mr. Nussle's motion to strike all after the enacting clause of S. 1932, and insert in lieu thereof the provisions of H.R. 4241 as passed by the House. **Page 26705**

A point of order was raised against the consideration of the resolution (H. Res. 560) and it was agreed to proceed with consideration by a yea-and-nay vote of 224 yeas to 198 nays, Roll No. 600. **Page 26581**

H. Res. 560, the rule providing for consideration of the bill was agreed to, after agreeing to order the previous question and the Putnam amendment by voice vote. **Page 26581**

Suspensions: The House agreed to suspend the rules and pass the following measure which was debated on Wednesday, November 16th:

Condemning in the strongest terms the terrorist attacks that occurred on November 9, 2005, in Amman, Jordan: H. Res. 546, amended, to condemn in the strongest terms the terrorist attacks that occurred on November 9, 2005, in Amman, Jordan, by a yea-and-nay vote of 409 yeas with none voting "nay", Roll No. 602. **Page 26704**

To direct the Architect of the Capitol to obtain a statue of Rosa Parks and to place the statue in the United States Capitol in National Statuary Hall: The House agreed by unanimous consent to H.R. 4145, amended, to direct the Architect of the Capitol to obtain a statue of Rosa Parks and to place the statue in the United States Capitol in National Statuary Hall. **Page 26849**

Agreed to amend the title so as to read: "A bill to direct the Joint Committee on the Library to obtain a statue of Rosa Parks and to place the statue in the United States Capitol in National Statuary Hall, and for other purposes.". **Page 26853**

Senate Message: Messages received from the Senate today appear on page 26553.

Senate Referrals: S. 206, S. 213, S. 251, S. 652, S. 761, S. 777, S. 819, S. 891, S. 895, S. 958, S. 1154, S. 1338, and S. 1627 were referred to the Committee on Resources; S. 485, S. 584, S. 695, S. 1238 were held at the desk and S. 705 was referred to the Committees on Financial Services and Education and the Workforce. **Page 26553**

Quorum Calls—Votes: Seven yea-and-nay votes and one recorded vote developed during the proceedings today and appear on pages 26563–65, 26579–80, 26584, and 26703–05. There were no quorum calls.

Recess: The House recessed at 2:25 a.m. and reconvened at 8:31 a.m. **Page 26853**

Adjournment: The House met at 10 a.m. and adjourned at 8:33 a.m. on Friday, November 18.

Committee Meetings

COMBATING METHAMPHETAMINES

Committee on Education and the Workforce: Subcommittee on Education Reform held a hearing on Combating Methamphetamines through Prevention and Education. Testimony was heard from Representatives Souder and Hooley; Robert Denniston, Director, National Youth Anti-Drug Media Campaign, Office of National Drug Control Policy; and public witnesses.

MEDICATE PHYSICIAN PAYMENT

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled "Medicare Physician Payment: How to Build a More Efficient Payment System." Testimony was heard from Mark B. McClellan, M.D. Administrator, Centers for Medicare and Medicaid Services, Department of Health and Human Services; Glen Hackbarth, Chairman, Medicare Payment Advisory Commission; and public witnesses.

THOROUGHBRED HORSE RACING JOCKEYS AND WORKERS

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "Thoroughbred Horse Racing Jockeys and Workers: Examining On-Track Injury Insurance and Other Health and Welfare Issues." Testimony was heard from public witnesses.

LOUISIANA RECOVERY CORPORATION ACT

Committee on Financial Services: Held a hearing on H.R. 4100, Louisiana Recovery Corporation Act. Testimony was heard from the following officials of the State of Louisiana: John T. Schedler, member, State Senate; Juan A. LaFonta, member, State House; C. Ray Nagin, Mayor and John Batt, member, City Council, both with the City of New Orleans; and a public witness.

SELF-REGULATORY ORGANIZATIONS

Committee on Financial Institutions: Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises held a hearing entitled "Self-Regulatory Organizations: Exploring the Need for Reform." Testimony was heard from public witnesses.

FEDERAL FINANCIAL MANAGEMENT

Committee on Government Reform: Subcommittee on Government Management, Finance and Accountability held a hearing entitled "15 Years of the CFO Act—What is the Current State of Federal Financial Management?" Testimony was heard from Linda Combs, Controller, Office of Federal Financial Management, OMB; and Jeffrey C. Steinhoff, Managing Director, Financial Management and Assurance, GAO.

BORDER SECURITY AND TERRORISM PREVENTION ACT OF 2005

Committee on Homeland Security: Ordered reported, as amended, H.R. 4312, Border Security and Terrorism Prevention Act of 2005.

TERRORISM RISK ASSESSMENT

Committee on Homeland Security: Subcommittee on Intelligence, Information Sharing and Terrorism Risk Assessment held a hearing entitled "Terrorism Risk Assessment at the Department of Homeland Security." Testimony was heard from Melissa Smislova, Acting Director, Homeland Infrastructure Threat and Risk Analysis Center and Assistant Secretary, Intelligence and Analysis—Chief Intelligence Officer, Department of Homeland Security; and public witnesses.

WESTERN SAHARA STATUS

Committee on International Relations: Subcommittee on Africa, Global Human Rights and International Operations held a hearing on Getting to Yes: Resolving the 30-Year Conflict over the Status of Western Sahara. Testimony was heard from Senator Inhofe, Representative Lincoln Diaz-Balart of Florida; Gordon Gray, Deputy Assistant Secretary, Bureau for Near Eastern Affairs, Department of State; and public witnesses.

DEMOCRACY IN VENEZUELA

Committee on International Relations: Subcommittee on the Western Hemisphere held a hearing on Democracy in Venezuela. Testimony was heard from Thomas A. Shannon, Assistant Secretary, Bureau of Western Hemisphere Affairs, Department of State; and public witnesses.

OVERSIGHT—U.S.-MEXICO BORDER

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security and the Subcommittee on Immigration, Border Security, and Claims held a joint oversight hearing on Weak Bilateral Law Enforcement Presence at the U.S.-Mexico Border: Territorial Integrity and Safety Issues for American Citizens. Testimony was heard from Chris Swecker, Assistant Director, Criminal Investigative Division, FBI, Department of Justice; the following officials of the Department of Homeland Security: William Reid, Acting Assistant Director, Office of Investigations, U.S. Immigration and Customs Enforcement; and Rey Garza, Deputy Chief Patrol Agent, U.S. Customs and Border Protection; and a public witness.

HOW ILLEGAL IMMIGRATION IMPACTS CONSTITUENCIES

Committee on the Judiciary: Subcommittee on Immigration, Border Security, and Claims continued oversight hearings entitled "How Illegal Immigration Impacts Constituencies: Perspectives from Members of Congress (Part II).". Testimony was heard from Representatives Kingston, Blackburn, Carter and Lewis of Georgia

NEPA

Committee on Resources: NEPA Task Force held a hearing on NEPA: Lessons Learned and Next Steps. Testimony was heard from James L. Connaughton, Chairman, Council on Environmental Quality; and public witnesses.

OUTER CONTINENTAL SHELF NATURAL GAS RELIEF ACT

Committee on Resources: Subcommittee on Energy and Mineral Resources held a hearing on the Outer Continental Shelf Natural Gas Relief Act. Testimony was heard from public witnesses.

OVERSIGHT—COMBAT ILLEGAL DRUG FARMS IN NATIONAL PARKS

Committee on Resources: Subcommittee on National Parks held an oversight hearing on the National Parks Service's Efforts to Combat the Growth of Illegal Drug Farms in National Parks. Testimony was heard from Karen Taylor-Goodrich, Associate Director, Visitor and Resource Protection, National Park Service, Department of the Interior; and public witnesses.

SAME DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE RULES COMMITTEE

Committee on Rules: Granted, by voice vote, a rule waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The rule applies the waiver to any special rule reported on the legislative day of November 18, 2005, providing for consideration or disposition of any of the following measures: (1) A bill or joint resolution making general appropriations for the fiscal year ending September 30, 2006, any amendment thereto, or any conference report thereon. (2) A conference report to accompany the bill (H.R. 3199) to extend and modify authorities needed to combat terrorism, and for other purposes. (3) A bill or joint resolution relating to flood insurance. (4) A bill to provide for reconciliation pursuant to section 201 of the concurrent resolution on the budget for fiscal year 2006.

CONFERENCE REPORT—MILITARY QUALITY OF LIFE AND VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 2528, Military Quality of Life and Veterans Affairs and Related Agencies Appropriations Act, 2006, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Representative Walsh.

CONFERENCE REPORT—TRANSPORTATION, TREASURY, HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, THE DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2006

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 3058, Departments of Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006, and against its consideration. The rule provides that the conference report shall be considered as read.

NANOTECHNOLOGY

Committee on Science: Held a hearing on Environmental and Safety Impacts of Nanotechnology: What Research is Needed? Testimony was heard from David Rejeski, Director, Project on Emerging Nanotechnologies, Woodrow Wilson International Center for Scholars, The Smithsonian Institution; and public witnesses.

PASSPORTS TO AND FROM CANADA

Committee on Small Business: Held a hearing on Building a Wall Between Friends: Passports to and from Canada? Testimony was heard from Representative Slaughter; and public witnesses.

BRIEFING—GLOBAL UPDATES/HOTSPOTS

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on Global Updates/Hotspots. The Committee was briefed by departmental witnesses.

Joint Meetings

APPROPRIATIONS: MILITARY CONSTRUCTION AND VETERANS AFFAIRS

Conferees agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 2528, making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2006.

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Friday, November 18, 2005

Senate

Chamber Action

Routine Proceedings, pages 27218–27366

Measures Introduced: Twenty-eight bills and eleven resolutions were introduced, as follows: S. 2052–2079, S. Res. 320–329, and S. Con. Res. 67. **Page 27298**

Measures Reported:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals from the Concurrent Resolution for Fiscal Year 2006". (S. Rept. No. 109–184) **Page 27297**

Measures Passed:

Continuing Resolution: Senate passed H.J. Res. 72, making further continuing appropriations for the fiscal year 2006, after taking action on the following amendment proposed thereto, clearing the measure for the President: **Page 27218**

Rejected:

By 46 yeas to 50 nays (Vote No. 348), Harkin Amendment No. 2672, to increase the amount appropriated to carry out under the Community Services Block Grant Act. **Page 27219**

National Flood Insurance Program Further Enhanced Borrowing Authority Act: Senate passed H.R. 4133, to temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the national flood insurance program, after agreeing to the following amendment proposed thereto: **Page 27364**

Hutchison (for Shelby) Amendment No. 2673, to provide for emergency spending. **Page 27364**

Adjournment Resolution: Senate agreed to H. Con. Res. 307, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate. **Page 27243**

Rosa Parks Anniversary: Committee on the Judiciary was discharged from further consideration of H. Con. Res. 208, recognizing the 50th anniversary of Rosa Louise

Parks' refusal to give up her seat on the bus and the subsequent desegregation of American society, and the resolution was then agreed to. **Page 27348**

Permanent Trade Relations Extension: Committee on Finance was discharged from further consideration of S. 632, to authorize the extension of unconditional and permanent nondiscriminatory treatment (permanent normal trade relations treatment) to the products of Ukraine, and the bill was then passed. **Page 27349**

Subsequently, the bill was ordered held at the desk. **Page 27349**

Rosa Parks Statue: Senate passed H.R. 4145, to direct the Architect of the Capitol to obtain a statue of Rosa Parks and to place the statue in the United States Capitol in National Statuary Hall, clearing the measure for the President. **Page 27349**

Trials of Mikhail Khodorkovsky and Platon Lebedev: Senate agreed to S. Res. 322, expressing the sense of the Senate on the trial, sentencing and imprisonment of Mikhail Khodorkovsky and Platon Lebedev. **Page 27349**

Control Over the Internet: Senate agreed to S. Res. 323, expressing the sense of the Senate that the United Nations and other international organizations should not be allowed to exercise control over the Internet. **Page 27350**

Sri Lanka: Senate agreed to S. Res. 324, expressing support for the people of Sri Lanka in the wake of the tsunami and the assassination of the Sri Lankan Foreign Minister and urging support and respect for free and fair elections in Sri Lanka. **Page 27351**

Printing Authority: Senate agreed to S. Res. 325, to authorize the printing of a revised edition of the Senate Election Law Guidebook. **Page 27351**

Child Safety Pilot Program: Senate passed S. 1961, to extend and expand the Child Safety Pilot Program. **Page 27351**

Vessel Hull Design Protection Amendments: Committee on the Judiciary was discharged from further consideration of S. 1785, to amend chapter 13 of title 17, United States Code (relating to the vessel hull design protection), to clarify the distinction between a hull and a deck, to provide factors for the determination of the protectability of a revised design, to provide guidance for assessments of substantial similarity, and the bill was then passed. **Page 27352**

Paiute Indian Tribe of Utah: Senate passed H.R. 680, to direct the Secretary of Interior to convey certain land held in trust for the Paiute Indian Tribe of Utah to the City of Richfield, Utah, clearing the measure for the President. **Page 27352**

Holly A. Charette Post Office: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of S. 1989, to designate the facility of the United States Postal Service located at 57 Rolfe Square in Cranston, Rhode Island, shall be known and designated as the "Holly A. Charette Post Office", and the bill was then passed. **Page 27352**

Randall D. Shughart Post Office Building: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of H.R. 2062, to designate the facility of the United States Postal Service located at 57 West Street in Newville, Pennsylvania, as the "Randall D. Shughart Post Office Building", and the bill was then passed, clearing the measure for the President. **Page 27352**

Vincent Palladino Post Office: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of H.R. 2183, to designate the facility of the United States Postal Service located at 567 Tompkins Avenue in Staten Island, New York, as the "Vincent Palladino Post Office", and the bill was then passed, clearing the measure for the President. **Page 27352**

Willie Vaughn Post Office: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of H.R. 3853, to designate the facility of the United States Postal Service located at 208 South Main Street in Parkdale, Arkansas, as the Willie Vaughn Post Office, and the bill was then passed, clearing the measure for the President. **Page 27352**

Darfur Peace and Accountability Act: Committee on Foreign Relations was discharged from further consideration of S. 1462, to promote peace and accountability in Sudan, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Page 27353**

McConnell (for Brownback) Amendment No. 2674, in the nature of a substitute. **Page 27353**

Year of Polio Education: Committee on Health, Education, Labor and Pensions was discharged from further consideration of S. Res. 304, to designate the period beginning on November 1, 2005 and ending on October 31, 2006 as the Year of Polio Education, and the resolution was then agreed to. **Page 27357**

Drive Safer Sunday: Senate agreed to S. Res. 326, designating November 27, 2005, as "Drive Safer Sunday". **Page 27357**

Little Rock Central High School Desegregation 50th Anniversary Commemorative Coin Act: Committee on Banking, Housing, and Urban Affairs was discharged from further consideration of H.R. 358, to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the desegregation of the Little Rock Central High School in Little Rock, Arkansas, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Page 27357**

McConnell (for Pryor) Amendment No. 2675, in the nature of a substitute. **Page 27357**

Presidential $1 Coin Act: Senate passed S. 1047, to require the Secretary of the Treasury to mint coins in commemoration of each of the Nation's past Presidents and their spouses, respectively to improve circulation of the $1 coin, to create a new bullion coin, after agreeing to the following amendment proposed thereto: **Page 27361**

McConnell (for Sununu) Amendment No. 2676, to make technical corrections. **Page 27361**

Labor/HHS/Education Appropriations House Message—Conferees: Senate considered the House Message to accompany H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, taking action on the following motions proposed thereto: **Page 27222**

By 66 yeas to 28 nays (Vote No. 349), Senate agreed to Specter motion to instruct Conferees to insist that $2,183,000,000 be available for the Low Income Home Energy Heating Assistance program. **Pages 27223, 27226**

By 58 yeas to 36 nays (Vote No. 350), Senate agreed to Durbin motion to instruct Conferees to insist on retaining the Senate passed provisions relating to funding for the National Institutes of Health. **Page 27225**

Subsequently, the Senate requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Specter, Cochran, Gregg, Craig, Hutchison, Stevens, DeWine, Shelby, Domenici, Harkin, Inouye, Reid, Kohl, Murray, Landrieu, Durbin, and Byrd. **Page 27227**

Military Construction/Veterans Affairs' Appropriations Conference Report: By unanimous consent, Senate agreed to the conference report to accompany H.R. 2528, making appropriations for military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2006, clearing the measure for the President. **Page 27265**

Transportation/Treasury/HUD/DC Appropriations—Conference Report: By a modified unanimous consent agreement, notwithstanding the adjournment of the Senate, Senate agreed to the conference report to accompany H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, clearing the measure for the President. **Page 27358**

Enrollment Resolution—Agreement: A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate, that when the Senate receives from the House of Representatives a correcting resolution relating to the conference report to accompany H.R. 3058 (listed above), the text of which is identical to the concurrent resolution at the desk, the concurrent resolution be considered agreed to and the motion to reconsider be laid upon the table. **Page 27358**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that during this adjournment of the Senate, the Majority Leader, the Assistant Majority Whip, and Senator Warner, be authorized to sign duly enrolled bills or joint resolutions. **Page 27358**

Authority for Committees: A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate, all committees were authorized to file legislative and executive matters on Thursday, December 8, 2005, from 10 a.m. until 12 noon. **Page 27358**

Authorizing Leadership to Make Appointments—Agreement: A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate, the President of the Senate, the President Pro Tempore, and the Majority and Minority Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate. **Page 27358**

Nominations Confirmed: Senate confirmed the following Nominations:

Patricia Lynn Scarlett, of California, to be Deputy Secretary of the Interior.

Ronald L. Schlicher, of Tennessee, to be Ambassador to the Republic of Cyprus. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Alejandro Daniel Wolff, of California, to be the Deputy Representative of the United States of America to the United Nations, with the rank and status of Ambassador, and the Deputy Representative of the United States of America in the Security Council of the United Nations. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Alejandro Daniel Wolff, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during his tenure of service as Deputy Representative of the United States of America to the United Nations. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Carol van Voorst, of Virginia, to be Ambassador to the Republic of Iceland. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Ross Wilson, of Maryland, to be Ambassador to the Republic of Turkey. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Donald M. Payne, of New Jersey, to be a Representative of the United States of America to the Sixtieth Session of the General Assembly of the United Nations.

(Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

Edward Randall Royce, of California, to be a Representative of the United States of America to the Sixtieth Session of the General Assembly of the United Nations. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.)

31 Air Force nominations in the rank of general.

51 Army nominations in the rank of general.

7 Coast Guard nominations in the rank of admiral.

2 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, and Coast Guard.

Routine list in the Foreign Service. (Prior to this action, Committee on Foreign Relations was discharged from further consideration.) **Pages 27359, 27365**

Nominations Received: Senate received the following nominations:

David Longly Bernhardt, of Colorado, to be Solicitor of the Department of the Interior.

Michael W. Michalak, of Michigan, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, for the rank of Ambassador during his tenure of service as United States Senior Official to the Asia-Pacific Economic Cooperation Forum.

James D. McGee, of Florida, to be Ambassador to the Union of Comoros. **Page 27365**

Messages From the House: **Page 27294**

Measures Held at Desk: **Page 27295**

Enrolled Bills Presented: **Page 27295**

Executive Communications: **Page 27295**

Petitions and Memorials: **Page 27297**

Executive Reports of Committees: **Page 27297**

Additional Cosponsors: **Page 27299**

Statements on Introduced Bills/Resolutions: **Page 27301**

Additional Statements: **Page 27291**

Amendments Submitted: **Page 27342**

Authorities for Committees to Meet: **Page 27347**

Record Votes: Three record votes were taken today. (Total—350) **Pages 27222, 27226**

Adjournment: Senate convened at 9 a.m. and, pursuant to the provisions of H. Con. Res. 307, adjourned at 6:19 p.m., until 2 p.m., on Monday, December 12, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 27364.)

Committee Meetings

FUTURE OF SCIENCE

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the future of science, focusing on scientific education and research, after receiving testimony from Eric A. Cornell, Senior Scientist, National Institute of Standards and Technology, Technology Administration, Department of Commerce, and University of Colorado Joint Institute for Laboratory Astrophysics; Peter Agre, Duke University School of Medicine, Durham, North Carolina; James R. Heath, California Institute of Technology, Pasadena; and Samuel C.C. Ting, Massachusetts Institute of Technology, Cambridge.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported S. 2027, to implement the United States-Bahrain Free Trade Agreement.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 45 public bills, H.R. 4387–4431; 1 private bill, H.R. 4432; and 11 resolutions, H. Con. Res. 307–310; and H. Res. 571, 573–578 were introduced. **Page 27496**

Additional Cosponsors: **Page 27498**

Reports Filed: Reports were filed today as follows:

Investigation Into Rafael Palmeiro's March 17, 2005 Testimony at the Committee on Government Reform's Hearing: "Restoring Faith in America's Pastime: Evaluating Major League Baseball's Efforts to Eradicate Steroid Use" (H. Rept. 109–310);

S. 229, to clear title to certain real property in New Mexico associated with the Middle Rio Grande Project (H. Rept. 109–311);

H. Res. 572, providing for consideration of the resolution (H. Res. 571) expressing the sense of the House of Representatives that the deployment of United States forces in Iraq be terminated immediately and providing for consideration of the concurrent resolution (H. Con. Res. 308) directing the Clerk of the House of Representatives to make a technical correction in the enrollment of H.R. 3058 (H. Rept. 109–312);

H.R. 3128, to affirm that Federal employees are protected from discrimination on the basis of sexual orientation and to repudiate any assertion to the contrary (H. Rept. 109–313); H.R. 1631, to provide for the financing of high-speed rail infrastructure (H. Rept. 109–314, Pt. 1);

H.R. 2829, to reauthorize the Office of National Drug Control Policy Act, with an amendment (H. Rept. 109–315, Pt. 1);

H.R. 3699, to provide for the sale, acquisition, conveyance, and exchange of certain real property in the District of Columbia to facilitate the utilization, development, and redevelopment of such property, with an amendment (H. Rept. 109–316, Pt. 1); and

H.R. 972, to authorize appropriations for fiscal years 2006 and 2007 for the Trafficking Victims Protection Act of 2000, with an amendment (H. Rept. 109–317, Pt. 1). **Page 27495**

Speaker: Read a letter from the Speaker wherein he appointed Representative Simpson to act as Speaker Pro Tempore for today. **Page 27367**

Adjournment Resolution: The House agreed to H. Con. Res. 307, providing for the conditional adjournment of the House and conditional adjournment or recess of the Senate. **Page 27370**

Military Construction and Veterans Affairs, and Related Agencies Appropriations Act, 2006—Conference Report: The House agreed to the conference report on H.R. 2528, making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2006, by a yea-and-nay vote of 427 yeas with none voting "nay", Roll No. 604. **Pages 27371, 27416**

H. Res. 564, the rule providing for consideration of the conference report, was agreed to by voice vote, after agreeing to order the previous question. **Page 27368**

Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006—Conference Report: The House agreed to the conference report on H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, by a yea-and-nay vote of 392 yeas to 31 nays, Roll No. 605. **Pages 27381, 27416**

H. Res. 565, the rule providing for consideration of the conference report, was agreed to by voice vote, after agreeing to order the previous question. **Page 27369**

Recess: The House recessed at 11:01 a.m. and reconvened at noon. **Page 27415**

Board of Visitors to the United States Air Force Academy—Appointment: The Chair announced the Speaker's appointment of Representative Hefley to the Board of Visitors of the United States Air Force Academy. **Page 27417**

Recess: The House recessed at 1:06 p.m. and reconvened at 4:10 p.m. **Page 27417**

National Aeronautics and Space Administration Authorization Act of 2005—Motion to go to Conference: The House disagreed to the Senate amendment and agreed, by unanimous consent, to a conference on S. 1281, amended, to authorize appropriations for the National Aeronautics and Space Administration for science, aeronautics, exploration, exploration capabilities, and the Inspector General, for fiscal years 2006, 2007, 2008, 2009, and 2010. **Page 27430**

Agreed to Mr. Boehlert's motion to strike all after the enacting clause of S. 1281 and insert in lieu thereof the text of H.R. 3070 as passed by the House. **Page 27438**

The Chair appointed conferees: from the Committee on Science, for consideration of the Senate bill and the House amendment, and modifications committed to conference: Messrs. Boehlert, Calvert, Hall, Smith of Texas, Gordon, Udall of Colorado, and Honda. **Page 27451**

Provided, that Ms. Jackson-Lee of Texas is appointed in lieu of Mr. Honda for consideration of secs. 111 and 615 of the House amendment, and modifications committed to conference. **Page 27451**

From the Committee on Government Reform, for consideration of secs. 153 and 606 of the Senate bill, and sec. 703 of the House amendment, and modifications committed to conference: Messrs. Tom Davis of Virginia, Turner, and Waxman. **Page 27451**

For consideration of the Senate bill and House amendment, and modifications committed to conference: Mr. DeLay. **Page 27451**

National Flood Insurance Program Further Enhanced Borrowing Authority Act of 2005: The House agreed, by unanimous consent, to H.R. 4133, amended by the Senate, to temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the national flood insurance program—clearing the measure for the President. **Page 27451**

Recess: The House recessed at 6:31 p.m. and reconvened at 7:57 p.m. **Page 27453**

Expressing the sense of the House of Representatives that the deployment of United States forces in Iraq be terminated immediately: The House failed to pass H. Res. 571, to express the sense of the House of Representatives that the deployment of United States forces in Iraq be terminated immediately, by a recorded vote of 3 ayes to 403 noes with 6 voting "present", Roll No. 608. **Page 27465**

Pursuant to the provisions of H. Res. 572, H. Con. Res. 308 is considered as passed in the House. **Page 27465**

Agreed to H. Res. 563, amended, waiving a requirement of clause 6(a) of Rule XIII with respect to the same day consideration of certain resolutions reported by the Rules Committee, by a yea-and-nay vote of 211 yeas to 204 nays, Roll No. 606, after agreeing to order the previous question and the Gingrey amendment. **Page 27418**

H. Res. 572, the rule providing for consideration of the bill was agreed to by a yea-and-nay vote of 210 yeas to 202 nays, Roll No. 607, after agreeing to order the previous question by voice vote. **Page 27453**

Predisaster Mitigation Program Reauthorization Act of 2005: The House agreed by unanimous consent to H.R. 4324, to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to reauthorize the predisaster mitigation program. **Page 27488**

Resignation of the Clerk of the House: Read a letter from Jeff Trandahl, in which he announced his resignation as Clerk of the House of Representatives, effective upon the appointment of his successor on November 18, 2005. **Page 27489**

Appointment: The Chair announced the Speaker's appointment as Clerk of the House of Representatives Mrs. Karen L. Haas of Maryland. **Page 27489**

Clerk Designations: Read a letter from the Clerk wherein she designated Mr. Gerasimos C. Vans, Deputy Clerk, to sign any and all papers and do all other acts under the name of the Clerk of the House in case of her temporary absence or disability. Ms. Marjorie C. Kelaher, Assistant to the Clerk, should similarly perform such duties under the same conditions as are authorized by this designation providing Mr. Vans should not be able to act in her behalf for any reason. **Page 27489**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, December 7, 2005. **Page 27489**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Tom Davis of Virginia and Representative Wolf, to act as Speaker pro tempore to sign enrolled bills and joint resolutions through December 6, 2005. **Page 27489**

Senate Message: Message received from the Senate today appears on pages 27381, 27417, and 27465.

Senate Referrals: S. 467, S. 1462 and S. 1047 were held at the desk; S. 1785 and S. 1961 were referred to the Committee on the Judiciary; S. 1989 was referred to the Committee on Government Reform and S. 1418 was referred to the Committee on Energy and Commerce. **Page 27494**

Quorum Calls—Votes: Four yea-and-nay votes and one recorded vote developed during the proceedings today and appear on pages 27416, 27417, 27429, 27464, and 27487. There was one quorum call, Roll No. 603, which appears on page 27415.

Adjournment: The House met at 9 a.m. and at 11:59 p.m. on Friday, November 18, pursuant to the provisions of H. Con. Res. 307, stands adjourned until 2 p.m. on Tuesday, December 6.

Committee Meetings

REGARDING UNITED STATES FORCES IN IRAQ

Committee on Rules: Granted, by a vote of 9 to 4, a closed rule providing one hour of debate on H. Res. 571, Expressing the sense of the House of Representatives that the deployment of United States forces in Iraq be terminated immediately, in the House equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations. The rule provides one motion to recommit which may not contain instructions. Finally, the rule provides that upon adoption of this resolution, H. Con. Res. 308 is hereby adopted. Testimony was heard from Chairman Hunter and Representative Edwards.

U.S.-BAHRAIN FREE TRADE AGREEMENT IMPLEMENTATION ACT

Committee on Ways and Means: Ordered reported H.R. 4340, United States-Bahrain Free Trade Agreement Implementation Act.

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Tuesday, December 6, 2005

Senate

Chamber Action

The Senate was not in session today. It will next meet at 2 p.m., on Monday, December 12, 2005.

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 19 public bills, H.R. 4433–4451; and 5 resolutions, H. Res. 579, 584–587—were introduced. **Page 27608**

Additional Cosponsors: **Page 27609**

Reports Filed: Reports were filed today as follows:

H.R. 4340, to implement the United States-Bahrain Free Trade Agreement (H. Rept. 109–318);

H.R. 2830, to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to reform the pension funding rules, with an amendment (H. Rept. 109–232, Pt. 2);

H.R. 452, to authorize the Secretary of the Interior to conduct a study to determine the suitability and feasibility of designating the Soldiers' Memorial Military Museum located in St. Louis, Missouri, as a unit of the National Park System (H. Rept. 109–319);

H.R. 1183, to require the Secretary of the Interior to provide public access to Navassa National Wildlife Refuge and Desecheo National Wildlife Refuge (H. Rept. 109–320);

H.R. 1190, to direct the Secretary of the Interior to conduct a feasibility study to design and construct a four reservoir intertie system for the purposes of improving the water storage opportunities, water supply reliability, and water yield of San Vicente, El Capitan, Murray, and Loveland Reservoirs in San Diego County, California in consultation and cooperation with the City of San Diego and the Sweetwater Authority, with an amendment (H. Rept. 109–321);

H.R. 4192, to authorize the Secretary of the Interior to designate the President William Jefferson Clinton Birthplace Home in Hope, Arkansas, as a National Historic Site and unit of the National Park System, (H. Rept. 109–322);

H.R. 4195, to authorize early repayment of obligations to the Bureau of Reclamation within Rogue River Valley Irrigation District or within Medford Irrigation District (H. Rept. 109–323);

H.R. 4292, to amend Public Law 107–153 to further encourage the negotiated settlement of tribal claims (H. Rept. 109–324);

H.R. 3818, to authorize the Secretary of Agriculture to enter into partnership agreements with entities and local communities to encourage greater cooperation in the administration of Forest Service activities on and near National Forest System lands, with an amendment (H. Rept. 109–325, Pt. 1);

H.R. 3909, to provide emergency authority for the Federal Deposit Insurance Corporation and the National Credit Union Administration, in accordance with guidance issued by the Board of Governors of the Federal Reserve System, to guarantee checks cashed by insured depository institutions and insured credit unions for the benefit of noncustomers who are victims of certain 2005 hurricanes, with an amendment (H. Rept. 109–326);

H.R. 4314, to extend the applicability of the Terrorism Risk Insurance Act of 2002, with an amendment (H. Rept. 109–327);

H. Res. 583, providing for consideration of the bill (H.R. 4340) to implement the United States-Bahrain Free Trade Agreement (H. Rept. 109–328); and

H.R. 4312, to establish operational control over the international land and maritime borders of the United States, and for other purposes, with an amendment (H. Rept. 109–329, Pt. 1). **Page 27607**

Speaker: Read a letter from the Speaker wherein he appointed Representative Boozman to act as Speaker pro tempore for today. **Page 27534**

Member Resignation: Read a letter from Representative Cunningham, wherein he resigned as Representative of the 50th Congressional District of California, effective close of business on Thursday, December 1, 2005. **Page 27534**

The Chair announces to the House that, in light of the resignation of the gentleman from California, the whole number of the House is 433. **Page 27535**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Gateway Communities Cooperation Act: H.R. 585, amended, to require Federal land managers to support, and to communicate, coordinate, and cooperate with, designated gateway communities, to improve the ability of gateway communities to participate in Federal land management planning conducted by the Forest Service and agencies of the Department of the Interior, and to respond to the impacts of the public use of the Federal lands administered by these agencies; **Page 27537**

Authorizing the Secretary of the Interior to prepare a feasibility study with respect to the Mokelumne River: H.R. 3812, amended, to authorize the Secretary of the Interior to prepare a feasibility study with respect to the Mokelumne River; **Page 27538**

Southern Oregon Bureau of Reclamation Repayment Act of 2005: H.R. 4195, to authorize early repayment of obligations to the Bureau of Reclamation within Rogue River Valley Irrigation District or within Medford Irrigation District; **Page 27539**

Directing the Secretary of the Interior to convey a parcel of real property to Beaver County, Utah: S. 52, to direct the Secretary of the Interior to convey a parcel of real property to Beaver County, Utah—clearing the measure for the President; **Page 27539**

Valles Caldera Preservation Act of 2005: S. 212, to amend the Valles Caldera Preservation Act to improve the preservation of the Valles Caldera—clearing the measure for the President; **Page 27540**

To amend the Act of June 7, 1924, to provide for the exercise of criminal jurisdiction: S. 279, to amend the Act of June 7, 1924, to provide for the exercise of criminal jurisdiction—clearing the measure for the President; **Page 27541**

Pitkin County Land Exchange Act of 2005: H.R. 1129, amended, to authorize the exchange of certain land in the State of Colorado; **Page 27542**

Rancho Corral de Tierra Golden Gate National Recreation Area Boundary Adjustment Act: S. 136, to authorize the Secretary of the Interior to provide supplemental funding and other services that are necessary to assist certain local school districts in the State of California in providing educational services for students attending schools located within Yosemite National Park, to authorize the Secretary of the Interior to adjust the boundaries of the Golden Gate National Recreation Area, to adjust the boundaries of Redwood National Park—clearing the measure for the President; **Page 27544**

Recognizing the 50th anniversary of the Montgomery bus boycott: H. Con. Res. 273, to recognize the 50th anniversary of the Montgomery bus boycott; **Page 27547**

Naval Vessels Transfer Act of 2005: S. 1886, to authorize the transfer of naval vessels to certain foreign recipients—clearing the measure for the President; **Page 27549**

Amending the International Organizations Immunities Act to provide for the applicability of that Act to the Bank for International Settlements: H.R. 3269, to amend the International Organizations Immunities Act to provide for the applicability of that Act to the Bank for International Settlements; **Page 27550**

Torture Victims Relief Reauthorization Act of 2005: H.R. 2017, to amend the Torture Victims Relief Act of 1998 to authorize appropriations to provide assistance for domestic and foreign programs and centers for the treatment of victims of torture; **Page 27551**

Urging member states of the United Nations to stop supporting resolutions that unfairly castigate Israel and to promote within the United Nations General Assembly more balanced and constructive approaches to resolving conflict in the Middle East: H. Res. 438, amended, to urge member states of the United Nations to stop supporting resolutions that unfairly castigate Israel and to promote within the United Nations General Assembly more balanced and constructive approaches to resolving conflict in the Middle East, by a yea-and-nay vote of 400 yeas with 1 voting nay, Roll No. 609; **Pages 27556, 27568**

Agreed to amend the title so as to read: "Resolution urging member states of the United Nations to stop supporting resolutions that unfairly castigate Israel and to promote within the United Nations a more balanced and constructive approach to resolving conflict in the Middle East.". **Page 27569**

Honoring the life, legacy, and example of Israeli Prime Minister Yitzhak Rabin on the tenth anniversary of his death: H. Res. 535, to honor the life, legacy, and example of Israeli Prime Minister Yitzhak Rabin on the tenth anniversary of his death, by a yea-and-nay vote of 399 yeas with none voting "nay", Roll No. 610; **Pages 27560, 27569**

Mourning the horrific loss of life caused by the floods and mudslides that occurred in October 2005 in Central America and Mexico and expressing the sense of Congress that the United States should do everything possible to assist the affected people and communities: H. Con. Res. 280, amended, to mourn the horrific loss of life caused by the floods and mudslides that occurred in October 2005 in Central America and Mexico and expressing the sense of Congress that the United States should do everything possible to assist the affected people and communities; and **Page 27564**

Recognizing the 50th Anniversary of the Hungarian Revolution that began on October 23, 1956 and reaffirming the friendship between the people and governments of the United States and Hungary: H. Res. 479, amended, to recognize the 50th Anniversary of the Hungarian Revolution that began on October 23, 1956 and reaffirming the friendship between the people and governments of the United States and Hungary, by a yea and nay vote of 395 yeas with none voting "nay", Roll No. 611. **Pages 27566, 27570**

Recess: The House recessed at 5:06 p.m. and reconvened at 6:30 p.m. **Page 27568**

Electing the Clerk of the House of Representatives: The House agreed to H. Res. 580, that Karen L. Haas of the State of Maryland, be, and is hereby, chosen Clerk of the House of Representatives. The Speaker then administered the oath of office. **Page 27569**

Notify the Senate of the Election of the Clerk: The House agreed to H. Res. 581, to inform the Senate that Karen L. Haas has been elected as Clerk of the House. **Page 27571**

Notify the President of the Election of the Clerk: The House agreed to H. Res. 582, authorizing the Clerk to inform the President of the United States that the House of Representatives has elected Karen L. Haas as Clerk of the House of Representatives of the 109th Congress. **Page 27571**

Discharge Petitions: Representative Slaughter moved to discharge the Committee on Rules from the consideration of H. Res. 460, providing for consideration of H.R. 3764, to establish a National Independent Inquiry Commission on Disaster Preparedness and Response to examine and evaluate the Federal Government's response to Hurricane Katrina and assess its ability to respond to future large-scale disasters (Discharge Petition No. 4);

Representative Waxman moved to discharge the Committee on Rules from the consideration of H. Res. 537, providing for the consideration of H.R. 3838, to establish the Independent Commission to Prevent Fraud and Abuse in the Response to Hurricane Katrina (Discharge Petition No. 5); and

Representative Abercrombie moved to discharge the Committee on Rules from the consideration of H. Res. 543, providing for the consideration of H.J. Res. 55, requiring the President to develop and implement a plan for the withdrawal of United States Armed Forces from Iraq (Discharge Petition No. 6).

Senate Referrals: S. 1042, S. 1043, S. 1044 and S. 1045 were held at the desk. S. 584 was referred to the Committee on Resources. **Page 27600**

Quorum Calls—Votes: 3 yea and nay votes developed during the proceedings today and appear on pages 27568–70. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 12 midnight.

Committee Meetings

USDA'S WATERSHED PROGRAMS

Committee on Agriculture: Subcommittee on Conservation, Credit, Rural Development, and Research held a hearing to review USDA's watershed programs. Testimony was heard from Bruce Knight, Chief, Natural Resources Conservation Service, USDA; and public witnesses.

SHOULD ONLY U.S. CITIZENS BE INCLUDED IN APPORTIONING OUR ELECTED REPRESENTATIVES

Committee on Government Reform: Subcommittee on Federalism and Census held a hearing entitled "Counting the Vote: Should Only U.S. Citizens Be Included in Apportioning Our Elected Representatives?" Testimony was heard from Representative Miller of Michigan; Johnny Killian, Senior Specialist in Constitutional Law, American Law Division, CRS, Library of Congress; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Fisheries and Oceans held a hearing on the following bills: H.R. 3682, To redesignate the Mason Neck National Wildlife Refuge in Virginia as the Elizabeth Hartwell Mason Neck National Wildlife Refuge; and H.R. 2866, James Campbell National Wildlife Refuge Expansion Act of 2005. Testimony was heard from Rick Schultz, Chief, Division of Conservation, Planning and Policy, National Wildlife Refuge System, United States Fish and Wildlife Service, Department of the Interior; and public witnesses.

UNITED STATES-BAHRAIN FREE TRADE AGREEMENT IMPLEMENTATION ACT

Committee on Rules: Granted, by voice vote, a closed rule providing two hours of debate in the House on H.R. 4340, to implement the United States-Bahrain Free Trade Agreement, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The rule waives all points of order against consideration of the bill. The rule provides that pursuant to section 151(f)(2) of the Trade Act of 1974, the previous question shall be considered as ordered on the bill to final passage without intervening motion. Section 2 of the resolution provides that during consideration of the bill, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker in consonance with section 151 of the Trade Act of 1974. Testimony was heard from Representative Shaw.

HURRICANE KATRINA: VOICES FROM INSIDE THE STORM

Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina: Held a hearing entitled "Hurricane Katrina: Voices from Inside the Storm." Testimony was heard from Charles Allen, Vice Mayor, Newport News, Virginia; citizens and evacuees of New Orleans; and public witnesses.

Résumé of Congressional Activity

FIRST SESSION OF THE ONE HUNDRED NINTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 4 through November 30, 2005

	Senate	*House*	*Total*
Days in session	148	129	..
Time in session	1,138 hrs., 24′	965 hrs., 4′	..
Congressional Record:			
Pages of proceedings	13,425	11,037	..
Extensions of Remarks	..	2,437	..
Public bills enacted into law	33	82	115
Private bills enacted into law	..	..	..
Bills in conference	15	6	..
Measures passed, total	546	592	1,138
Senate bills	163	35	..
House bills	97	236	..
Senate joint resolutions	2	1	..
House joint resolutions	6	10	..
Senate concurrent resolutions	20	10	..
House concurrent resolutions	35	75	..
Simple resolutions	223	225	..
Measures reported, total*	239	295	534
Senate bills	194	4	..
House bills	22	163	..
Senate joint resolutions	2	..	..
House joint resolutions	..	3	..
Senate concurrent resolutions	1	..	..
House concurrent resolutions	..	6	..
Simple resolutions	20	119	..
Special reports	13	8	..
Conference reports	..	14	..
Measures pending on calendar	152	87	..
Measures introduced, total	2,493	5,393	7,886
Bills	2,072	4,432	..
Joint resolutions	27	73	..
Concurrent resolutions	67	310	..
Simple resolutions	327	578	..
Quorum calls	3	2	..
Yea-and-nay votes	350	314	..
Recorded votes	..	292	..
Bills vetoed	..	..	..
Vetoes overridden	..	..	..

*These figures include all measures reported, even if there was no accompanying report. A total of 184 reports have been filed in the Senate, a total of 317 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS (109–1)

January 4 through November 30, 2005

Civilian nominations, totaling 485, disposed of as follows:

Confirmed	292
Unconfirmed	178
Withdrawn	13
Returned to White House	2

Other Civilian nominations, totaling 1,891, disposed of as follows:

Confirmed	1,615
Unconfirmed	276

Air Force nominations, totaling 9,828, disposed of as follows:

Confirmed	8,243
Unconfirmed	1,585

Army nominations, totaling 6,954, disposed of as follows:

Confirmed	6,937
Unconfirmed	17

Navy nominations, totaling 4,545, disposed of as follows:

Confirmed	4,540
Unconfirmed	5

Marine Corps nominations, totaling 1,380, disposed of as follows:

Confirmed	1,378
Unconfirmed	2

Summary

Total nominations carried over from the First Session	0
Total nominations Received this Session	25,083
Total Confirmed	23,005
Total Unconfirmed	2,063
Total Withdrawn	13
Total Returned to White House	2

Wednesday, December 7, 2005

Senate

Chamber Action

The Senate was not in session today. It will next meet at 2 p.m., on Monday, December 12, 2005.

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 19 public bills, H.R. 4452–4470; and 3 resolutions, H. Con. Res. 311; and H. Res. 589–590 were introduced. **Page 27747**

Additional Cosponsors: **Page 27748**

Reports Filed: Report was filed today as follows:

H. Res. 588, providing for consideration of the bill (H.R. 4297) to provide for reconciliation pursuant to section 201(b) of the concurrent resolution on the budget for fiscal year 2006 (H. Rept. 109–330). **Page 27747**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Honoring the pilots of United States commercial air carriers who volunteer to participate in the Federal flight deck officer program: H. Con. Res. 196, to honor the pilots of United States commercial air carriers who volunteer to participate in the Federal flight deck officer program, by a yea-and-nay vote of 413 yeas to 2 nays, Roll No. 614; **Pages 27638, 27673**

Amending the Federal Water Pollution Control Act to reauthorize programs to improve the quality of coastal recreation waters: H.R. 1721, to amend the Federal Water Pollution Control Act to reauthorize programs to improve the quality of coastal recreation waters; **Page 27640**

Amending the Federal Water Pollution Control Act to extend the authorization of appropriations for Long Island Sound: H.R. 3963, to amend the Federal Water Pollution Control Act to extend the authorization of appropriations for Long Island Sound; **Page 27642**

Amending section 105(b)(3) of the Ethics in Government Act of 1978 (5 U.S.C. App.): H.R. 4311, to amend section 105(b)(3) of the Ethics in Government Act of 1978 (5 U.S.C. App.); **Page 27645**

Recognizing the anniversary of the ratification of the 13th Amendment and encouraging the American people to educate and instill pride and purpose into their communities and to observe the anniversary annually with appropriate programs and activities: H. Res. 196, to recognize the anniversary of the ratification of the 13th Amendment and encouraging the American people to educate and instill pride and purpose into their communities and to observe the anniversary annually with appropriate programs and activities; **Page 27649**

Terrorism Risk Insurance Extension Act of 2005: S. 467, amended, to extend the applicability of the Terrorism Risk Insurance Act of 2002, by a yea-and-nay vote of 371 yeas to 49 nays, Roll No. 612; **Pages 27654, 27671**

Stealth Tax Relief Act of 2005: H.R. 4096, to amend the Internal Revenue Code of 1986 to extend to 2006 the alternative minimum tax relief available in 2005 and to index such relief for inflation, by a yea-and-nay vote of 414 yeas to 4 nays, Roll No. 613; **Pages 27665, 27672**

To allow binding arbitration clauses to be included in all contracts affecting land within the Gila River Indian Community Reservation: H.R. 327, to allow binding arbitration clauses to be included in all contracts affecting land within the Gila River Indian Community Reservation; **Page 27674**

Tax Revision Act of 2005: H.R. 4388, amended, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions; by a yea-and-nay vote of 423 yeas with none voting "nay", Roll No. 617; and **Pages 27674, 27708**

Amending the Internal Revenue Code of 1986 to provide tax benefits for the Gulf Opportunity Zone and certain areas affected by Hurricanes Rita and Wilma: H.R. 4440, to amend the Internal Revenue Code of 1986 to provide tax benefits for the Gulf Opportunity Zone and certain areas affected by Hurricanes Rita and Wilma, by a yea-and-nay vote of 415 yeas to 4 nays, Roll No. 618. **Pages 27677, 27709**

Suspension—Proceedings Postponed: The House completed debate on the following measure under suspension of the rules. Further consideration will continue tomorrow, December 8th.

Securing Aircraft Cockpits Against Lasers Act of 2005: H.R. 1400, to amend title 18, United States Code, to provide penalties for aiming laser pointers at airplanes. **Page 27647**

United States-Bahrain Free Trade Agreement Implementation Act: The House passed H.R. 4340, to implement the United States-Bahrain Free Trade Agreement by a yea-and-nay vote of 327 yeas to 95 nays, Roll No. 616. **Pages 27689, 27707**

H. Res. 583, the rule providing for consideration of the bill was agreed to by a voice vote, after agreeing to order the previous question without objection. **Page 27637**

Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act for FY06—Motion to go to Conference: The House disagreed to the Senate amendment and agreed to a further conference on H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006. **Page 27706**

Point of Order sustained against:

Obey first motion to instruct conferees; and **Page 27706**

Obey second motion to instruct conferees. **Page 27706**

Tabling the Appeal of the Ruling of the Chair on Motion to Instruct Conferees on H.R. 3010: Agreed to table the Obey motion to appeal the ruling of the Chair by a yea-and-nay vote of 226 yeas to 196 nays, Roll No. 615. **Page 27707**

Later, the Chair appointed conferees: Messrs. Regula, Istook, Wicker, Mrs. Northup, Ms. Granger, Messrs. Peterson of Pennsylvania, Sherwood, Weldon of Florida, Walsh, Lewis of California, Obey, Hoyer, Mrs. Lowey, Ms. DeLauro, Messrs. Jackson of Illinois, Kennedy of Rhode Island, and Ms. Roybal-Allard. **Page 27710**

Terrorism Risk Insurance Extension Act of 2005—Motion to go to Conference: The House insisted on its amendment and requested a conference on S. 467, to extend the applicability of the Terrorism Risk Insurance Act of 2002. **Page 27710**

The Chair appointed conferees: from the Committee on Financial Services, for consideration Senate bill and the House amendment, and modifications committed to conference: Messrs. Oxley, Baker, Ms. Pryce of Ohio, Mrs. Kelly, Messrs. Kanjorski, Capuano, and Crowley. **Page 27710**

Provided that Mr. Israel is appointed in lieu of Mr. Capuano for consideration of sections 4, 5, and 7 of the Senate bill, and sections 103 and 105 of the House amendment, and modifications committed to conference. **Page 27710**

From the Committee on the Judiciary, for consideration of sections 2 and 6 of the Senate bill and modifications committed to conference: Messrs. Sensenbrenner, Goodlatte, and Mr. Conyers. **Page 27710**

For consideration of the Senate bill and the House amendment, and modifications committed to conference: Mr. Sessions. **Page 27710**

Member Sworn—Fiftieth Congressional District of California: Representative-elect Campbell presented himself in the well of the House and was administered the Oath of Office by the Speaker. **Page 27713**

The Chair announces to the House that, in light of the Administration of the Oath of Office to the gentleman from California, the whole number of the House is 434. **Page 27714**

Quorum Calls—Votes: Seven yea-and-nay votes developed during the proceedings of the House today, and appear on pages 27672–74 and 27707–09. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:06 p.m.

Committee Meetings

CFTC REAUTHORIZATION ACT OF 2005; FOREST EMERGENCY RECOVERY AND RESEARCH ACT

Committee on Agriculture: Approved, as amended, the Commodity Futures Trading Commission (CFTC) Reauthorization Act of 2005.

The Committee also held a hearing on H.R. 4200, Forest Emergency Recovery and Research Act. Testimony was heard from Representatives Walden of Oregon and Baird; Dale Bosworth, Chief, Forest Service, USDA; and public witnesses.

BCS/COLLEGE FOOTBALL POST-SEASON

Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protection held a hearing entitled "Determining a Champion on the Field: A Comprehensive Review of the BCS and Postseason College Football." Testimony was heard from public witnesses.

UNDERSTANDING THE PEAK OIL THEORY

Committee on Energy and Commerce: Subcommittee on Energy and Air Quality held a hearing entitled "Understanding the Peak Oil Theory," focusing on H. Res. 507, Expressing the sense of the House of Representatives that the United States, in collaboration with other international allies, should establish an energy project with the magnitude, creativity, and sense of urgency that was incorporated in the "Man on the Moon" project to address the inevitable challenges of "Peak Oil." Testimony was heard from Representatives Bartlett of Maryland and Udall of New Mexico; Murray Smith, Minister-Counsellor Government, Canadian Embassy; and public witnesses.

BRIEFING—ROLL OF IMMIGRATION AND CUSTOMS ENFORCEMENT AND FORENSIC DOCUMENT LABORATORY

Committee on Homeland Security: Subcommittee on Intelligence, Information Sharing and Terrorism Risk Assessment and the Subcommittee on Economic Security, Infrastructure Protection, and Cybersecurity met in executive session to receive a joint briefing on the overview and roll of the Immigration and Customs Enforcement (ICE) Forensic Document Laboratory (FDL). The Subcommittees were briefed by departmental witnesses.

AVIAN FLU PANDEMIC

Committee on International Relations: Held a hearing on Avian Flu: Addressing the Global Threat. Testimony was heard from the following officials of the Department of State: Anthony F. Rock, Acting Assistant Secretary, Bureau of Oceans and International Environmental and Scientific Affairs; and Kent R. Hill, Assistant Administrator, Global Health, U. S. Agency for International Development; the following officials of the Department of Health and Human Services: Anthony S. Fauci, M.D., Director, National Institute of Allergy and Infectious Diseases, NIH; and Anne Schuchat, M.D., Acting Director, National Center for Infectious Diseases, Centers for Disease Control and Prevention; Margaret Chan, M.D., representative of the Director-General for Pandemic Influenza, WHO; and a public witness.

U.N. OIL-FOR-FOOD PROGRAM REPORT

Committee on International Relations: Subcommittee on Oversight and Investigations approved a Subcommittee report entitled "The Oil-for-Food Program: The Systematic Failure of the United Nations."

OVERSIGHT—INTERNATIONAL IPR REPORT CARD

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property held an oversight hearing on International IPR Report Card—Assessing U.S. Government and Industry Efforts to Enhance Chinese and Russian Enforcement of Intellectual Property Rights. Testimony was heard from Chris Israel, Coordinator, International Intellectual Property Enforcement, Department of Commerce; Victoria Espinel, Acting Assistant U.S. Trade Representative, Intellectual Property; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Water and Power held a hearing on the following bills: H.R. 862, To redesignate the Rio Grande American Canal in El Paso, Texas, as the "Travis C. Johnson Canal"; H.R. 2334, City of Oxnard Water Recycling and Desalination Act of 2005; H.R. 2978, To allow the Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation to enter into a lease or other temporary conveyance of water rights recognized under the Fort Peck—Montana Compact for the purpose of meeting the water needs of the Dry Prairie Rural Water Association, Incorporated; H.R. 4000, To authorize the Secretary of the Interior to revise certain repayment contracts with the Bostwick Irrigation District in Nebraska, the Kansas Bostwick Irrigation District No. 2, the Frenchman-Cambridge Irrigation District, and the Webster Irrigation District No 4, all a part of the Pick-Sloan Missouri Basin Program; and S. 101, To convey to the town of Frannie, Wyoming, certain land withdrawn by the Commissioner of Reclamation. Testimony was heard from Representative Moran of Kansas; William Rinne, Deputy Commissioner, Bureau of Reclamation, Department of the Interior; Carlos Marin, Acting U.S. Commissioner, International Boundary and Water Commission, Department of State; Andres Herrera, Mayor Pro Tem, City of Oxnard, California; John Morles, Chairman, Assiniboine and Sioux Tribes of the For Peck Reservation; and a public witness.

TAX RELIEF EXTENSION RECONCILIATION ACT

Committee on Rules: Granted, by voice vote, a structured rule providing one hour of debate in the House on H.R. 4297, to provide for reconcilitation pursuant to section 201(b) of the concurrent resolution on the budget for fiscal year 2006, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill shall be considered as adopted. The rule makes in order the amendment in the nature of a substitute printed in the Rules Committee report accompanying the resolution, if offered by Representative Rangel of New York or his designee, which shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent. The rule waives all points of order against the amendment in the nature of a substitute printed in the Rules Committee report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Camp and Neal.

GULF COAST RECOVERY ACT; FEDERAL AND DISTRICT OF COLUMBIA GOVERNMENT REAL PROPERTY ACT; ARMY CORPS OF ENGINEERS SURVEY RESOLUTIONS; GSA RESOLUTION

Committee on Transportation and Infrastructure: Ordered reported the following bills: H.R. 4438, Gulf Coast Recovery Act of 2005; and H.R. 3699, amended, Federal and District of Columbia Government Real Property Act of 2005.

The Committee also approved the following: U.S. Army Corps of Engineers Survey resolutions; and a GSA 3314(b) resolution.

OVERSIGHT—VETERANS AFFAIRS DISABILITY CLAIMS PROCESS

Committee on Veterans' Affairs: Held an oversight hearing on the challenges and opportunities facing disability claims process at the Veterans Benefits Administration. Testimony was heard from the following officials of the Department of Veterans Affairs: Ronald R Aument, Deputy Under Secretary, Benefits, Veterans Benefits Administration; and James P. Terry, Chairman, Board of Veterans'

Appeals; representatives of veterans organizations; and a public witness.

BRIEFING—GLOBAL UPDATES/HOTSPOTS

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on Global Updates/Hotspots. The Committee was briefed by departmental witnesses.

BRIEFING—MUSLIM EXTREMISM

Permanent Select Committee on Intelligence: Subcommittee on Terrorism, Human Intelligence, Analysis and Counterintelligence and the Subcommittee on Intelligence Policy met in executive session to receive a joint briefing on Muslim Extremism. The Subcommittees were briefed by departmental witnesses.

HURRICANE KATRINA: PREPAREDNESS AND RESPONSE BY STATE OF MISSISSIPPI

Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina: Held a hearing entitled "Hurricane Katrina: Preparedness and Response by the State of Mississippi." Testimony was heard from the following officials of the State of Mississippi: Haley Barbour, Governor; Brian W. Amy, M.D., State Health Officer; Robert Latham, Director, Emergency Management Agency; Brent Warr, Mayor, Gulfport; Tommy Longo, Mayor, Waveland; Benjamin Spraggins, Director, Harrison County Emergency Management Agency; and Bobby Strahan, Director, Pearl River County Emergency Management Agency; and William Carwile, former FEMA Federal Coordinating Officer, State of Mississippi.

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Thursday, December 8, 2005

Senate

Chamber Action

The Senate was not in session today. It will next meet at 2 p.m., on Monday, December 12, 2005.

Committee Meetings

HURRICANE KATRINA

Committee on Homeland Security and Governmental Affairs: Committee concluded hearings to examine perspectives of FEMA's operations professionals relative to Hurricane Katrina, after receiving testimony from Scott Wells, Federal Coordinating Officer, FEMA Joint Field Office (Baton Rouge, Louisiana), Philip E. Parr, Deputy Federal Coordinating Officer, FEMA Joint Field Office (Austin, Texas), and William L. Carwile, former Federal Coordinating Officer, FEMA Joint Field Office (Biloxi, Mississippi), all of the Department of Homeland Security.

NOMINATIONS

Committee on Homeland Security and Governmental Affairs: Committee concluded hearings on the nominations of George W. Foresman, of Virginia, to be Under Secretary for Preparedness, and Tracy A. Henke, of Missouri, to be Executive Director of the Office of State and Local Government Coordination and Preparedness, both of the Department of Homeland Security. Ms. Henke was introduced by Representative Emerson.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 28 public bills, H.R. 4471–4498; 1 private bill, H.R. 4499; and 6 resolutions, H. Con. Res. 312–314; and H. Res. 591–593 were introduced. **Page 27875**

Additional Cosponsors: **Page 27876**

Reports Filed: Reports were filed today as follows:

H.R. 972, to authorize appropriations for fiscal years 2006 through 2007 for the Trafficking Victims Protection Act of 2000, and for other purposes, with an amendment (H. Rept. 109–317, Pt. 2);

H.R. 1090, to designate a Forest Service trail at Waldo Lake in the Willamette National Forest in the State of Oregon as a national recreation trail in honor of Jim Weaver, a former Member of the House of Representatives, with an amendment (H. Rept. 109–331);

S. 362, to establish a program within the National Oceanic and Atmospheric Administration and the United States Coast Guard to help identify, determine sources of, assess, reduce, and prevent marine debris and its adverse impacts on the marine environment and navigation safety, in coordination with non-Federal entities, with an amendment (H. Rept. 109–332, Pt. 1); and

Conference Report on H.R. 3199, to extend and modify authorities needed to combat terrorism, and for other purposes (H. Rept. 109–333). **Page 27875**

Speaker: Read a letter from the Speaker wherein he appointed Representative LaHood to act as Speaker pro tempore for today. **Page 27767**

Tax Relief Extension Reconciliation Act of 2005: The House passed H.R. 4297, to provide for reconciliation pursuant to section 201(b) of the concurrent resolution on the budget for fiscal year 2006, by a yea-and-nay vote of 234 yeas to 197 nays, Roll No. 621. **Page 27778**

Rejected the Rangel motion to recommit the bill to the Committee on Ways and Means with instructions to report the same back to the House forthwith with amendments by a yea-and-nay vote of 193 yeas to 235 nays, Roll No. 620. **Page 27808**

Pursuant to the rule the amendment in the nature of a substitute recommended by the Committee on Ways and Means, now printed in the bill shall be considered as adopted. **Page 27771**

Rejected:

Rangel amendment in the nature of a substitute (printed in H. Rept. 109–330) that sought to extend for one year all the expiring provisions contained in Title I of H.R. 4297, including the deduction for state and local retail sales taxes, the deduction for college tuition expenses, tax incentives for the District of Columbia and Indian reservations, 15 year depreciation period for leasehold and restaurant improvements, qualified zone academy bonds, the Brownfields cleanup tax incentive, and several other minor provisions. The amendment makes no substantive changes to the expiring provisions, except for the research credit, work opportunity tax credit, and welfare-to-work tax credit, which are expanded to match the Thomas bill. In addition to the one-year extensions that are retained by the amendment, the amendment also would extend the temporary provision that terminates at the end of this calendar year and that provides a larger earned income tax credit for the families of those serving in Iraq and other conforming and technical changes, by a yea-and-nay vote of 192 yeas to 239 nays, Roll No. 619. **Page 27795**

H. Res. 588, the rule providing for consideration of the bill was agreed to by voice vote, after agreeing to order the previous question without objection. **Page 27770**

Suspensions: The House agreed to suspend the rules and pass the following measure which was debated on Wednesday, December 7th:

Securing Aircraft Cockpits Against Lasers Act of 2005: H.R. 1400, to amend title 18, United States Code, to provide penalties for aiming laser pointers at airplanes. **Page 27811**

Privileged Resolution: The Chair ruled that the resolution offered by Representative Pelosi did constitute a question of the privileges of the House. Agreed to the motion to table H. Res. 591 by a recorded vote of 219 ayes to 188 noes, Roll No. 622. **Page 27811**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at noon on Monday, December 12th, and when the House adjourns on Monday, it adjourn to meet at 12:30 a.m. on Tuesday, December 13th, for Morning Hour Debate. **Page 27815**

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, December 14th. **Page 27815**

Quorum Calls—Votes: Three yea-and-nay votes and 1 recorded vote developed during the proceedings of today and appear on pages 27808 and 27810–12. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 7:50 p.m.

Committee Meetings

PROSECUTING WAR CRIMINALS LIVING IN THE UNITED STATES

Committee on Appropriations: Subcommittee on Science, The Department of State, Justice, and Commerce, and Related Agencies held a hearing on Federal efforts related to the exclusion, removal and prosecution of aliens and naturalized U.S. citizens who have committed war crimes or human rights abuses outside the U.S. Testimony was heard from Eli Rosenbaum, Director, Office of Special Investigations, Criminal Division, Department of Justice; and Stephen A. Edson, Deputy Assistant Secretary, Visa Services, Department of State.

PULMONARY HYPERTENSION/CHRONIC PAIN RESEARCH

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled "Improving America's Health: Examining Federal Research Efforts for Pulmonary Hypertension and Chronic Pain." Testimony was heard from Mark Gladwin, M.D., Chief, Vascular Medicine Branch, National Heart, Lung, and Blood Institute, NIH, Department of Health and Human Services; CPT John Pruden, USA; and public witnesses.

POST-HURRICANES HOUSING OPTIONS

Committee on Financial Services: Subcommittee on Housing and Community Opportunity held a hearing entitled "Housing Options in the Aftermath of Hurricanes Katrina and Rita." Testimony was heard from David E. Garratt, Acting Director, Recovery Division, FEMA, Department of Homeland Security.

RESOLUTION—IRAQ WAR DOCUMENT REQUEST

Committee on International Relations: Began markup of H. Res. 549, Requesting the President of the United States provide to the House of Representatives all documents in his possession relating to his October 7, 2002, speech in Cincinnati, Ohio, and his January 23, 2003, State of the Union address.

BORDER PROTECTION, ANTITERRORISM, AND ILLEGAL IMMIGRATION CONTROL ACT; TRAFFICKING VICTIMS PROTECTION REAUTHORIZATION ACT

Committee on the Judiciary: Ordered reported, as amended, the following bills: H.R. 4437, Border Protection, Antiterrorism, and Illegal Immigration Control Act of 2005; and H.R. 972, Trafficking Victims Protection Reauthorization Act of 2005.

INDIAN TRUST REFORM ACT

Committee on Resources: Held a hearing on H.R. 4322, Indian Trust Reform Act of 2005. Testimony was heard from Jason Carson, Associate Deputy Secretary, Department of the Interior; and a public witness.

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Monday, December 12, 2005

Senate

Chamber Action

Routine Proceedings, pages 27897–27928

Measures Introduced: Four bills and two resolutions were introduced, as follows: S. 2080–2083, S. Res. 330, and S. Con. Res. 68. **Page 27921**

Measures Reported:

Reported on Thursday, December 8, during the adjournment:

S. 158, to establish the Long Island Sound Stewardship Initiative (S. Rept. No. 109–185)

S. 1400, to amend the Federal Water Pollution Control Act and the Safe Drinking Water Act to improve water and wastewater infrastructure in the United States, with an amendment in the nature of a substitute. (S. Rept. No. 109–186)

S. 1496, to direct the Secretary of the Interior to conduct a pilot program under which up to 15 States may issue electronic Federal migratory bird hunting stamps, with amendments. (S. Rept. No. 109–187)

S. 310, to direct the Secretary of the Interior to convey the Newlands Project Headquarters and Maintenance Yard Facility to the Truckee-Carson Irrigation District in the State of Nevada. (S. Rept. No. 109–188)

S. 435, to amend the Wild and Scenic Rivers Act to designate a segment of the Farmington River and Salmon Brook in the State of Connecticut for study for potential addition to the National Wild and Scenic Rivers System, with an amendment. (S. Rept. No. 109–189)

S. 648, to amend the Reclamation States Emergency Drought Relief Act of 1991 to extend the authority for drought assistance. (S. Rept. No. 109–190)

S. 1165, to provide for the expansion of the James Campbell National Wildlife Refuge, Honolulu County, Hawaii, with amendments. (S. Rept. No. 109–191)

S. 1025, to amend the Act entitled "An Act to provide for the construction of the Cheney division, Wichita Federal reclamation project, Kansas" to authorize the Equus Beds Division of the Wichita Project, with an amendment. (S. Rept. No. 109–192)

S. 1096, to amend the Wild and Scenic Rivers Act to designate portions of the Musconetcong River in the State of New Jersey as a component of the National Wild and Scenic Rivers System. (S. Rept. No. 109–193)

S. 1310, to authorize the Secretary of the Interior to allow the Columbia Gas Transmission Corporation to increase the diameter of a natural gas pipeline located in the Delaware Water Gap National Recreation Area, with amendments. (S. Rept. No. 109–194)

S. 1552, to amend Public Law 97–435 to extend the authorization for the Secretary of the Interior to release certain conditions contained in a patent concerning certain land conveyed by the United States to Eastern Washington University until December 31, 2009. (S. Rept. No. 109–195)

S. 1578, to reauthorize the Upper Colorado and San Juan River Basin endangered fish recovery implementation programs. (S. Rept. No. 109–196)

S. 1760, to authorize early repayment of obligations to the Bureau of Reclamation within Rogue River Valley Irrigation District or within Medford Irrigation District. (S. Rept. No. 109–197)

S. 1860, to amend the Energy Policy Act of 2005 to improve energy production and reduce energy demand through improved use of reclaimed waters, with an amendment in the nature of a substitute. (S. Rept. No. 109–198)

S. 2027, to implement the United States-Bahrain Free Trade Agreement. (S. Rept. No. 109–199)

S. 881, to provide for equitable compensation to the Spokane Tribe of Indians of the Spokane Reservation for the use of tribal land for the production of hydropower by the Grand Coulee Dam. (S. Rept. No. 109–200)

S. 1892, to amend Public Law 107–153 to modify a certain date. (S. Rept. No. 109–201)

S. 517, to establish a Weather Modification Operations and Research Board, with an amendment in the nature of a substitute. (S. Rept. No. 109–202)

S. 1408, to strengthen data protection and safeguards, require data breach notification, and further prevent identity theft, with an amendment in the nature of a substitute. (S. Rept. No. 109–203)

S. 1753, to establish a unified national hazard alert system, with an amendment in the nature of a substitute. (S. Rept. No. 109–204)

Reported today:

S. 731, to recruit and retain more qualified individuals to teach in Tribal Colleges or Universities, with amendments. (S. Rept. No. 109–205)

S. 1003, to amend the Act of December 22, 1974, with amendments. (S. Rept. No. 109–206) **Page 27921**

Measures Passed:

Honoring Former Senator Eugene J. McCarthy: Senate agreed to S. Res. 330, relative to the death of Eugene Joseph McCarthy, former United States Senator for the State of Minnesota. **Page 27926**

Commemorating Alan A. Reich: Committee on the Judiciary was discharged from further consideration of S. Res. 321, commemorating the life, achievements, and contributions of Alan A. Reich, and the resolution was then agreed to. **Page 27926**

National Fund for Excellence in American Indian Education Amendments Act: Senate passed S. 1231, to amend the Indian Self-Determination and Education Assistance Act to modify provisions relating to the National Fund for Excellence in American Indian Education, after agreeing to the committee amendment in the nature of a substitute. **Page 27926**

National Indian Gaming Commission Accountability Act: Senate passed S. 1295, to amend the Indian Gaming Regulatory Act to provide for accountability and funding of the National Indian Gaming Commission. **Page 27927**

United States-Bahrain Free Trade Agreement Implementation Act—Agreement: A unanimous-consent-time agreement was reached providing that at a time determined by the Majority Leader, after consultation with the Democratic Leader, Senate begin consideration of the H.R. 4340, to implement the United States-Bahrain Free Trade Agreement; that there be 60 minutes of debate; and that following the use, or yielding back of time, Senate vote on passage of the bill, at a time to be determined. **Page 27927**

National Aeronautics and Space Administration Authorization Act: Senate disagreed to the House amendment to S. 1281, to authorize appropriations for the National Aeronautics and Space Administration for science, aeronautics, exploration, exploration capabilities, and the Inspector General, and for other purposes, for fiscal years 2006, 2007, 2008, 2009, and 2010, agreed to the House request for a conference, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Stevens, Lott, Hutchison, Inouye, and Nelson (FL). **Page 27927**

Appointments:

Helping to Enhance the Livelihood of People (HELP) Around the Globe Commission: The Chair, on behalf of the Majority Leader, pursuant to Public Law 108–199, Title VI, Section 637, appointed the following individual to serve as a member of the Helping to Enhance the Livelihood of People (HELP) Around the Globe Commission: Jerome F. Climer, of Virginia. **Page 27928**

Messages From the House: **Page 27918**

Measures Referred: **Page 27920**

Measures Placed on Calendar: **Page 27920**

Measures Read First Time: **Page 27920**

Enrolled Bills Presented: **Page 27920**

Executive Communications: **Page 27920**

Additional Cosponsors: **Page 27922**

Statements on Introduced Bills/Resolutions: **Page 27923**

Additional Statements: **Page 27915**

Authorities for Committees to Meet: **Page 27925**

Adjournment: Senate convened at 2 p.m., and as a further mark of respect to the memory of the late Senator Eugene J. McCarthy, former United States Senator for the State of Minnesota, in accordance with S. Res. 330, adjourned at 5:41 p.m., until 11 a.m., on Tuesday, December 13, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 27928.)

Committee Meetings

COMMERCIAL AVIATION PASSENGER SCREENING PROCEDURES

Committee on Commerce, Science, and Transportation: Committee held a hearing to examine the Transportation Security Administration's new security procedures and changes to the prohibited items list, including an enhanced focus on explosives detection, applying screening resources to the greatest risk, and improving security by eliminating predictability, receiving testimony from Edmund Hawley, Assistant Secretary of Homeland Security, Transportation Security Administration; and James C. May, Air Transport Association of America, Inc., and Patricia Friend, Association of Flight Attendants, CWA, AFL–CIO, both of Washington, D.C.

Hearing will continue on January 19, 2006.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 1 resolution, H. Res. 594 was introduced. **Page 27895**

Additional Cosponsors: **Page 27895**

Reports Filed: Reports were filed today as follows:

H.R. 3124, to authorize the Secretary of the Interior to allow the Columbia Gas Transmission Corporation to increase the diameter of a natural gas pipeline located in the Delaware Water Gap National Recreation Area, with an amendment (H. Rept. 109–334); and

H.R. 3929, to amend the Water Desalination Act of 1996 to authorize the Secretary of the Interior to assist in research and development, environmental and feasibility studies, and preliminary engineering for the Municipal Water District of Orange County, California, Dana Point Desalination Project located at Dana Point, California, with an amendment (H. Rept. 109–335, Pt. 1). **Page 27895**

Speaker: Read a letter from the Speaker wherein he appointed Representative Price of Georgia to act as Speaker pro tempore for today. **Page 27894**

Quorum Calls—Votes: There were no Yea and Nay votes, and there were no Recorded votes. There were no quorum calls.

Adjournment: The House met at 12 p.m. and adjourned at 12:08 p.m.

Committee Meetings

No committee meetings were held.

Joint Meetings

APPROPRIATIONS: LABOR/HHS/EDUCATION

Conferees met and continued in evening session on the differences between the Senate and House passed versions of H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006.

◆◆◆◆◆◆◆◆◆◆◆◆

Tuesday, December 13, 2005

Senate

Chamber Action

Routine Proceedings, pages 27931–90

Measures Introduced: Twelve bills were introduced as follows: S. 2084–2095. **Page 27975**

Measures Passed:

United States-Bahrain Free Trade Agreement Implementation Act: Senate passed H.R. 4340, to implement the United States-Bahrain Free Trade Agreement, clearing the measure for the President. **Page 27981**

Morris K. Udall Scholarship: Senate passed S. 2093, to amend the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 to provide funds for training in tribal leadership, management, and policy. **Page 27982**

Indian Tribal Justice Systems: Senate passed S. 2094, to reauthorize certain provisions relating to Indian tribal justice systems. **Page 27983**

National Teen Dating Violence Awareness and Prevention Week: Committee on the Judiciary was discharged from further consideration of S. Res. 275, designating the week of February 6, 2006 as "National Teen Dating Violence Awareness and Prevention Week", and the resolution was then agreed to. **Page 27983**

Deficit Reduction Act—Agreement: A unanimous-consent-time agreement was reached providing that following morning business on Wednesday, December 14, 2005, Senate begin consideration of a message from the House of Representatives to accompany S. 1932, to provide for reconciliation pursuant to section 202(a) of the concurrent resolution on the budget for fiscal year 2006 (H. Con. Res. 95), that the Senate disagree to the amendment of the House and request a conference with the House thereon; that only certain motions to instruct the conferees be in order; that the Chair be authorized to appoint conferees on the part of the Senate; that no amendments be in order to the motions to instruct; that the only debate in order under the statute, other than debate on the motions, be 30 minutes equally divided for general debate between the Chairman and Ranking Member of the Committee on the Budget; that all motions be debated on Wednesday, and that the votes occur in relation to the motions in a stacked sequence at a time to be determined; provided further, that any votes which do not occur prior to 1 p.m. on Wednesday, December 14, 2005, be stacked to occur beginning at 3:30 p.m. on Thursday, December 15, 2005. **Page 27980**

Nominations Received: Senate received the following Nominations:

Michael L. Dominguez, of Virginia, to be Deputy Under Secretary of Defense for Personnel and Readiness.

Raymond L. Orbach, of California, to be Under Secretary for Science, Department of Energy.

Gary A. Grappo, of Virginia, to be Ambassador to the Sultanate of Oman.

Bradford R. Higgins, of Connecticut, to be an Assistant Secretary of State (Resource Management).

Bradford R. Higgins, of Connecticut, to be Chief Financial Officer, Department of State.

Michell C. Clark, of Virginia, to be Assistant Secretary for Management, Department of Education.

Anne-Imelda Radice, of Vermont, to be Director of the Institute of Museum Services.

25 Air Force nominations in the rank of general.

20 Army nominations in the rank of general.

1 Marine Corps nomination in the rank of general.

Routine lists in the Army, Navy, and Foreign Service. **Page 27984**

Nominations Withdrawn: Senate received notification of withdrawal of the following nominations:

Edward L. Flippen, of Virginia, to be Inspector General, Corporation for National and Community Services, which was sent to the Senate on January 24, 2005.

Ellen G. Engleman Conners, of Indiana, to be Chairman of the National Transportation Safety Board for a term of two years, which was sent to the Senate on April 4, 2005.

John M. Molino, of Virginia, to be an Assistant Secretary of Veterans Affairs (Policy and Planning), which was sent to the Senate on September 6, 2005. **Page 27990**

Nominations Discharged: The following nominations were discharged from further committee consideration and placed on the Executive Calendar:

Michael Joseph Copps, of Virginia, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2005, which was sent to the Senate on November 9, 2005, from the Senate Committee on Commerce, Science, and Transportation.

Deborah Taylor Tate, of Tennessee, to be a Member of the Federal Communications Commission for the remainder of the term expiring June 30, 2007, which was sent to the Senate on November 9, 2005, from the Senate Committee on Commerce, Science, and Transportation. **Pages 27975, 27982**

Measures Placed on Calendar: **Page 27974**

Executive Communications: **Page 27974**

Additional Cosponsors: **Page 27975**

Statements on Introduced Bills/Resolutions: **Page 27976**

Additional Statements: **Page 27971**

Authorities for Committees to Meet: **Page 27980**

Privileges of the Floor: **Page 27980**

Adjournment: Senate convened at 11 a.m., and adjourned at 6:21 p.m., until 9:45 a.m., on Wednesday, December 14, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 27984.)

Committee Meetings

NOMINATION

Committee on Armed Services: Committee concluded a closed hearing to examine the nomination of J. Dorrance Smith, of Virginia, to be an Assistant Secretary of Defense for Public Affairs.

NOMINATIONS

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the nominations of Deborah Taylor Tate, of Tennessee, who was introduced by Senator Alexander, and Michael Joseph Copps, of Virginia, who was introduced by Senator Inouye, each to be a Member of the Federal Communications Commission, after the nominees testified and answered questions in their own behalf.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 24 public bills, H.R. 4500–4522; 1 private bill, H.R. 4523; and 1 resolution, H. Res. 597 were introduced. **Page 28165**

Additional Cosponsors: **Page 28166**

Reports Filed: Reports were filed today as follows:

H.R. 2695, to amend the McKinney-Vento Homeless Assistance Act to protect the personally identifying information of victims of domestic violence, dating violence, sexual assault, and stalking (H. Rept. 109–336);

Conference report on H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006 (H. Rept. 109–337);

H.R. 1728, to authorize the Secretary of the Interior to study the suitability and feasibility of designating the French Colonial Heritage Area in the State of Missouri as a unit of the National Park System, with an amendment (H. Rept. 109–338);

H.R. 3626, to authorize the Secretary of the Interior to study the feasibility of enlarging the Arthur V. Watkins Dam Weber Basin Project, Utah, to provide additional water for the Weber Basin Project to fulfill the purposes for which that project was authorized, with an amendment (H. Rept. 109–339);

H.R. 3153, to reauthorize the Upper Colorado and San Juan River Basin endangered fish recovery implementation programs (H. Rept. 109–340);

H.R. 2720, to further the purposes of the Reclamation Projects Authorization and Adjustment Act of 1992 by directing the Secretary of the Interior, acting through the Commissioner of Reclamation, to carry out an assessment and demonstration program to control salt cedar and Russian olive (H. Rept. 109–341, Pt. 1);

H.R. 3422, to amend the United States Housing Act of 1937 to exempt small public housing agencies from the requirement of preparing an annual public housing agency plan, with an amendment (H. Rept. 109–342);

H. Res. 595, waiving points of order against the conference report to accompany the bill (H.R. 3199) to extend and modify authorities needed to combat terrorism (H. Rept. 109–343);

H. Res. 596, waiving points of order against the further conference report to accompany the bill (H.R. 3010) making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006 (H. Rept. 109–344); and

H.R. 4437, to amend the Immigration and Nationality Act to strengthen enforcement of the immigration laws, to enhance border security, and for other purposes (H. Rept. 109–345, Pt. 1). **Pages 28005, 28127, 28164**

Speaker: Read a letter from the Speaker wherein he appointed Representative Pearce to act as Speaker Pro Tempore for today. **Page 27991**

Recess: The House recessed at 12:46 p.m. and reconvened at 2 p.m. **Page 27992**

Chaplain: The prayer was offered today by Rev. Dr. Barry C. Black, Chaplain, United States Senate. **Page 27992**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Supporting the goals and ideals of Korean American Day: H. Res. 487, to support the goals and ideals of Korean American Day, by a yea-and-nay vote of 405 yeas none voting "nay", Roll No. 623; **Pages 27994, 28128**

Designating the facility of the United States Postal Service located at 12760 South Park Avenue in Riverton, Utah, as the "Mont and Mark Stephensen Veterans Memorial Post Office Building": H.R. 4295, to designate the facility of the United States Postal Service located at 12760 South Park Avenue in Riverton, Utah, as the "Mont and Mark Stephensen Veterans Memorial Post Office Building"; **Page 27998**

Designating the facility of the United States Postal Service located at 1826 Pennsylvania Avenue in Baltimore, Maryland, as the "Maryland State Delegate Lena K. Lee Post Office Building": H.R. 4107, to designate the facility of the United States Postal Service located at 1826 Pennsylvania Avenue in Baltimore, Maryland, as the "Maryland State Delegate Lena K. Lee Post Office Building"; **Page 27999**

Recognizing the centennial of sustained immigration from the Philippines to the United States and acknowledging the contributions of our Filipino-American community to our country over the last century: H. Con. Res. 218, to recognize the centennial of sustained immigration from the Philippines to the United States and acknowledging the contributions of our Filipino-American community to our country over the last century; **Page 28000**

Congratulating the Los Angeles Galaxy on their victory in the 2005 Major League Soccer championship: H. Res. 574, to congratulate the Los Angeles Galaxy on their victory in the 2005 Major League Soccer championship; **Page 28004**

Authorizing the Secretary of the Interior to construct facilities to provide water for irrigation, municipal, domestic, military, and other uses from the Santa Margarita River, California: H.R. 125, amended, to authorize the Secretary of the Interior to construct facilities to provide water for irrigation, municipal, domestic, military, and other uses from the Santa Margarita River, California; **Page 28099**

Removing certain restrictions on the Mammoth Community Water District's ability to use certain property acquired by that District from the United States: H.R. 853, to remove certain restrictions on the Mammoth Community Water District's ability to use certain property acquired by that District from the United States; **Page 28100**

TRAIL Act: H.R. 975, amended, to provide consistent enforcement authority to the Bureau of Land Management, the National Park Service, the United States Fish and Wildlife Service, and the Forest Service to respond to violations of regulations regarding the management, use, and protection of public lands under the jurisdiction of these agencies; **Page 28101**

Directing the Secretary of the Interior to convey certain water distribution facilities to the Northern Colorado Water Conservancy District: H.R. 3443, amended, to direct the Secretary of the Interior to convey certain water distribution facilities to the Northern Colorado Water Conservancy District; **Page 28103**

Authorizing the Secretary of the Interior to conduct a study to determine the suitability and feasibility of designating the Soldiers' Memorial Military Museum located in St. Louis, Missouri, as a unit of the National Park System: H.R. 452, to authorize the Secretary of the Interior to conduct a study to determine the suitability and feasibility of designating the Soldiers' Memorial Military Museum located in St. Louis, Missouri, as a unit of the National Park System; **Page 28104**

Presidential $1 Coin Act of 2005: S. 1047, to require the Secretary of the Treasury to mint coins in commemoration of each of the Nation's past Presidents and their spouses, respectively to improve circulation of the $1 coin, to create a new bullion coin, by a yea-and-nay vote of 291 yeas to 113 nays, Roll No. 624—clearing the measure for the President; **Pages 28106, 28128**

Small Public Housing Authority Act: H.R. 3422, amended, to amend the United States Housing Act of 1937 to exempt small public housing agencies from the requirement of preparing an annual public housing agency plan, by a yea-and-nay vote of 387 yeas to 2 nays, Roll No. 625; **Pages 28112, 28131**

Brownfields Redevelopment Enhancement Act: H.R. 280, amended, to facilitate the provision of assistance by the Department of Housing and Urban Development for the cleanup and economic redevelopment of brownfields; **Page 28114**

Designating certain buildings of the Centers for Disease Control and Prevention: H.R. 4500, to designate certain buildings of the Centers for Disease Control and Prevention; and **Page 28119**

Methamphetamine Remediation Research Act of 2005: H.R. 798, amended, to provide for a research program for remediation of closed methamphetamine production laboratories. **Page 28122**

Recess: The House recessed at 5:17 p.m. and reconvened at 6:30 p.m. **Page 28127**

Honoring the 50th anniversary of the Honorable John D. Dingell's service in the House of Representatives: The House agreed to H. Res. 594, to honor the 50th anniversary of the Honorable John D. Dingell's service in the House of Representatives, by voice vote after ordering the previous question. **Page 28129**

Senate Message: Messages received from the Senate today appear on pages 27993 and 28129.

Senate Referrals: S. 1231, and S. 2093 were held at the desk. S. 2094 was referred to Committees on Resources and the Judiciary. S. 1295 was referred to the Committee on Resources. **Page 28162**

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages 28128–29 and 28131. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 12 midnight.

Committee Meetings

IMPORTED PHARMACEUTICALS SAFETY

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "Safety of Imported Pharmaceuticals: Strengthening Efforts to Combat the Sales of Controlled Substances Over the Internet." Testimony was heard from Richard Stana, Director, Homeland Security and Justice Issues, GAO; Joseph Rannazzisi, Deputy Assistant Administrator, Office of Diversion Control, Deputy Chief, Office of Enforcement Operations, DEA, Department of Justice; Jayson Aherne, Assistant Commissioner, Office of Field Operations, Bureau of Customs and Border Protection, Department of Homeland Security; Robert Meyer, M.D., Director, Office of Drug Evaluation II, Office of New Drugs, Center for Drug Evaluation and Research, FDA, Department of Health and Human Services; and public witnesses.

INTERNATIONAL MARITIME SECURITY

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations and the Subcommittee on Criminal Justice, Drug Policy, and Human Resources held a joint hearing entitled "International Maritime Security." Testimony was heard from Chris Swecker, Assistant Director, Criminal Investigation Division, FBI, Department of Justice; the following officials of the United States Coast Guard,. Department of Homeland Security: RADM Wayne Justice, Director, Operations Policy; and RADM John Crowley, Judge Advocate General; RADM James E. McPherson, USN, The Judge Advocate General, Department of the Navy; and public witnesses.

STATE TAXATION OF RETIREMENT INCOME; BUSINESS ACTIVITY TAX SIMPLIFICATION ACT

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law approved for full Committee action the following bills: H.R. 4019, To amend title 4 of the United States Code to clarify the treatment of self-employment for purposes of the limitation on State taxation of retirement income; and H.R. 1956, amended, Business Activity Tax Simplification Act of 2005.

Prior to this action, the Subcommittee held a hearing on H.R. 4019. Testimony was heard from former Representative George W. Gekas, State of Pennsylvania; and public witnesses.

CONFERENCE REPORT—USA PATRIOT IMPROVEMENT AND REAUTHORIZATION ACT OF 2005

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 3199, USA Patriot Improvement and Reauthorization Act of 2005, and against its consideration. Testimony was heard from Chairman Sensenbrenner.

CONFERENCE REPORT—DEPARTMENTS OF LABOR, HHS, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 3010, Departments of Labor, Heath and Human Services, and Education, and Related Agencies Appropriations Act, 2006, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Chairman Lewis.

HURRICANE KATRINA—CHARITIES RESPONSE

Committee on Ways and Means: Subcommittee on Oversight held a hearing to Review the Response by Charities to Hurricane Katrina. Testimony was heard from Representative McCrery; Cynthia M. Fagnoni, Managing Director, Education, Workforce and Income Security, GAO; and public witnesses.

Joint Meetings

APPROPRIATIONS: LABOR/HHS/EDUCATION

Conferees agreed on Monday, December 12, 2005, to file a conference report on the differences between the Senate and House passed versions of H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006.

Wednesday, December 14, 2005

Senate

Chamber Action

Routine Proceedings, pages 28183–28266

Measures Introduced: Nine bills and four resolutions were introduced, as follows: S. 2096–2104, S. Res. 331–333, and S. Con. Res. 69. **Page 28238**

Measures Passed:

Honoring Former Governor Carroll A. Campbell: Senate agreed to S. Res. 332, honoring the life of former Governor Carroll A. Campbell and expressing the deepest condolences of the Senate to his family. **Page 28261**

Recognizing the Philippines: Senate agreed to S. Res. 333, recognizing the centennial of sustained immigration from the Philippines to the United States and acknowledging the contributions of our Filipino-American community to our country over the last century. **Page 28262**

Settlement Common Stock: Senate passed S. 449, to facilitate shareholder consideration of proposals to make Settlement Common Stock under the Alaska Native Claims Settlement Act available to missed enrollees, eligible elders, and eligible persons born after December 18, 1971. **Page 28263**

Indian Land Contracts: Senate passed H.R. 327, to allow binding arbitration clauses to be included in all contracts affecting land within the Gila River Indian Community Reservation, clearing the measure for the President. **Page 28263**

Deficit Reduction Act—Motions to Instruct Conferees: Senate began consideration of the message from the House of Representatives to accompany S. 1932, to provide for reconciliation pursuant to section 202(a) of the concurrent resolution on the budget for fiscal year 2006 (H. Con. Res. 95), disagreeing to the amendment of the House, requesting a conference with the House thereon, and taking action on the following motions to instruct Conferees proposed thereto: **Page 28187**

Adopted:

By 64 yeas to 27 nays (Vote No. 351), Senate agreed to Carper Motion to Instruct Conferees to insist that any conference report shall not include the provision in the House amendment relating to the reauthorization of the Temporary Assistance for Needy Families Program, and insist that Congress enact free standing legislation that builds on the bipartisan Senate Committee on Finance's reported version of the Personal Responsibility and Individual Development for Everyone Act (the PRIDE Act, S. 667) to reauthorize the Nation's welfare-to-work laws. **Page 28194**

By 75 yeas to 16 nays (Vote No. 352), Senate agreed to Baucus Motion to Instruct Conferees not report a conference report that would impair access to, undermine eligibility for, make unaffordable by increasing beneficiary cost-sharing, adversely affect Medicaid services, or in any way undermine Medicaid's Federal guarantee of health insurance coverage. **Pages 28194, 28196**

By 66 yeas to 26 nays (Vote No. 353), Senate agreed to Harkin Motion to Instruct Conferees to insist that any conference report does not contain any cuts to Federal food assistance programs, including the food stamp program established under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.). **Pages 28193, 28197**

Pending:

DeWine Motion to Instruct Conferees to insist that any conference report shall not include the provisions contained in section 8701 of the House amendment relating to the repeal of section 754 of the Tariff Act of 1930. **Page 28188**

Kohl Motion to Instruct Conferees to insist that any conference report shall not include any of the provisions in the House amendment that reduce funding for the child support program established under part D of title IV of the Social Security Act (42 U.S.C. 651 et seq.), and to insist that the conference report shall not include any restrictions on the ability of States to use Federal child support incentive payments for child support program expenditures that are eligible for Federal matching payments. **Page 28189**

Kennedy Motion to Instruct Conferees to insist that the Senate provisions increasing need based financial aid in the bill S. 1932, which were fully offset by savings in the bill S. 1932, be included in the final conference report and that the House provisions in the bill H.R. 4241 that impose new fees and costs on students in school and in repayment be rejected in the final conference report. **Page 28203**

Reed Motion to Instruct Conferees to insist on a provision that makes available $2,920,000,000 for the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 et seq.), in addition to the $2,183,000,000 made available for such Act in the Departments of Labor, Health, and Human Services, and Education, and Related Agencies Appropriations Act, 2006. **Page 28211**

A unanimous-consent agreement was reached providing for further consideration of the message from the House to accompany S. 1932 (listed above) at 3:30 p.m., on Thursday, December 15, 2005, with a series of votes to occur on the pending motions to instruct Conferees. **Page 28263**

USA PATRIOT Act—Conference Report: Senate began consideration of the conference report to accompany H.R. 3199, to extend and modify authorities needed to combat terrorism. **Page 28213**

A motion was entered to close further debate on the conference report and, in accordance with the provisions

of rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Friday, December 16, 2005.
Page 28213

A unanimous-consent-time agreement was reached providing for further consideration of the conference report on Thursday, December 15, 2005, with 2 hours equally divided between the two Leaders or their designees.
Page 28263

Labor/HHS/Education Appropriations Conference Report—Agreement: A unanimous-consent-time agreement was reached providing for consideration of the conference report to accompany H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, at 9 a.m., on Thursday, December 15, 2005; that following all debate time, the conference report be set aside with the vote on adoption to occur at a time to be determined. **Page 28261**

Nominations Received: Senate received the following nominations:

Patrick Joseph Schiltz, of Minnesota, to be United States District Judge for the District of Minnesota.

Jack Zouhary, of Ohio, to be United States District Judge for the Northern District of Ohio.

Routine lists in the Air Force, Army, Coast Guard, Foreign Service, Marine Corps, Navy. **Page 28263**

Nominations Discharged: The following nominations were discharged from further committee consideration and placed on the Executive Calendar:

Stephanie Johnson Monroe, of Virginia, to be Assistant Secretary for Civil Rights, Department of Education, which was sent to the Senate on June 23, 2005, from the Senate Committee on Health, Education, Labor, and Pensions.

Donald A. Gambatesa, of Virginia, to be Inspector General, United States Agency for International Development, which was sent to the Senate on September 13, 2005, from the Senate Committee on Homeland Security and Governmental Affairs.

Marilyn Ware, of Pennsylvania, to be Ambassador to Finland, which was sent to the Senate on October 26, 2005, from the Senate Committee on Foreign Relations.
Pages 28237, 28262

Messages From the House: **Page 28235**

Measures Referred: **Page 28236**

Executive Communications: **Page 28236**

Additional Cosponsors: **Page 28238**

Statements on Introduced Bills/Resolutions: **Page 28240**

Additional Statements: **Page 28233**

Authorities for Committees to Meet: **Page 28261**

Privileges of the Floor: **Page 28261**

Record Votes: Three record votes were taken today. (Total—353) **Pages 28196–97**

Adjournment: Senate convened at 9:45 a.m., and adjourned at 7:59 p.m., until 9 a.m., on Thursday, December 15, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 28263.)

Committee Meetings

SPILL PREVENTION CONTROL

Committee on Environment and Public Works: Committee concluded a hearing to examine the Environmental Protection Agency's spill prevention control and countermeasure program, focusing on methods and equipment requirements for non-transportation-related onshore and offshore facilities with a specified aboveground storage capacity, after receiving testimony from Thomas M. Sullivan, Chief Counsel for Advocacy, Small Business Administration; Thomas P. Dunne, Acting Assistant Administrator, Office of Solid Waste and Emergency Response, Environmental Protection Agency; Brent Cummings, Cummings Oil Company, Oklahoma City, Oklahoma; James Coyne, National Air Transportation Association, Alexandria, Virginia; Richard G. Owen, Geraldine, Montana, on behalf of the Agriculture Coalition on Spill Prevention Control and Countermeasure, and CHS, Inc.; Riki Ott, Cordova, Alaska; and James J. Corbett, University of Delaware Graduate College of Marine Studies, Newark.

NOMINATIONS

Committee on Finance: Committee concluded a hearing to examine the nominations of Antonio Fratto, of Pennsylvania, to be Assistant Secretary of the Treasury for Public Affairs, David M. Spooner, of Virginia, to be Assistant Secretary of Commerce for Import Administration, Vincent J. Ventimiglia, Jr., of Maryland, to be Assistant Secretary of Health and Human Services for Legislation, who was introduced by Senator Gregg, Richard T. Crowder, of Virginia, to be Chief Agricultural Negotiator, Office of the United States Trade Representative, with the rank of Ambassador, and Jeffrey Robert Brown, of Illinois, to be a Member of the Social Security Advisory Board, after the nominees testified and answered questions in their own behalf.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 25 public bills, H.R. 4524–4548; and 13 resolutions, H.J. Res. 74;

H. Con. Res. 315–316; and H. Res. 598–601, 603–609 were introduced. **Page 28423**

Additional Cosponsors: **Page 28425**

Reports Filed: A report was filed today as follows:

H. Res. 602, providing for consideration of the bill (H.R. 2830) to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to reform the pension funding rules (H. Rept. 109–346); and

H. Res. 610, providing for consideration of the bill (H.R. 4437) to amend the Immigration and Nationality Act to strengthen enforcement of the immigration laws, to enhance border security (H. Rept. 109-347). **Pages 28399, 28422, 28423**

Speaker: Read a letter from the Speaker wherein he appointed Representative Foley to act as Speaker Pro Tempore for today. **Page 28267**

Discharge Petitions: Representative Marshall moved to discharge the Committee on Rules from the consideration of H. Res. 568, providing for the consideration of H.R. 3936, to protect consumers from price-gouging of gasoline and other fuels during energy emergencies (Discharge Petition No. 7); and

Representative Waxman moved to discharge the Committee on Rules from the consideration of H. Res. 570, providing for the consideration of H.R. 3925, to provide that a Federal public safety position may not be held by any political appointee who does not meet certain minimum requirements (Discharge Petition No. 8).

USA PATRIOT Improvement and Reauthorization Act of 2005—Conference Report: The House agreed to the conference report on H.R. 3199, to extend and modify authorities needed to combat terrorism, after agreeing to order the previous question, by a yea-and-nay vote of 251 yeas to 174 nays, Roll No. 627. **Page 28284**

Rejected the Conyers motion to recommit the conference report on the bill to the Committee of Conference with instructions to recede from disagreement with the Senate amendment, by a recorded vote of 202 ayes to 224 noes, Roll No. 626. **Page 28306**

H. Res. 595, the rule providing for consideration of the conference report, was agreed to by voice vote, after agreeing to order the previous question. **Page 28275**

Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2006—Conference Report: The House agreed to the conference report on H.R. 3010, to make appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, by a yea-and-nay vote of 215 yeas to 213 nays, Roll No. 628. **Page 28307**

H. Res. 596, the rule providing for consideration of the conference report, was agreed to by voice vote, after agreeing to order the previous question. **Page 28272**

Suspensions: The House agreed to suspend the rules and pass the following measures:

CFTC Reauthorization Act of 2005: H.R. 4473, to reauthorize and amend the Commodity Exchange Act to promote legal certainty, enhance competition, and reduce systemic risk in markets for futures and over-the-counter derivatives; **Page 28318**

Commending the outstanding efforts in response to Hurricane Katrina by members and employees of the Coast Guard, to provide temporary relief to certain persons affected by such hurricane with respect to certain laws administered by the Coast Guard: H.R. 4508, to commend the outstanding efforts in response to Hurricane Katrina by members and employees of the Coast Guard, to provide temporary relief to certain persons affected by such hurricane with respect to certain laws administered by the Coast Guard; **Page 28333**

Trafficking Victims Protection Reauthorization Act of 2005: H.R. 972, amended, to authorize appropriations for fiscal years 2006 and 2007 for the Trafficking Victims Protection Act of 2000, by a yea-and-nay vote of 426 yeas with none voting "nay", Roll No. 632; **Pages 28336, 28353**

Reverse Mortgages to Help America's Seniors Act: H.R. 2892, to amend section 255 of the National Housing Act to remove the limitation on the number of reverse mortgages that may be insured under the FHA mortgage insurance program for such mortgages; **Page 28354**

2005 District of Columbia Omnibus Authorization Act: H.R. 3508, amended, to authorize improvements in the operation of the government of the District of Columbia; **Page 28356**

Congratulating Tony Stewart on winning the 2005 NASCAR Nextel Cup Championship: H. Res. 587, to congratulate Tony Stewart on winning the 2005 NASCAR Nextel Cup Championship; **Page 28371**

Recognizing Commodore John Barry as the first flag officer of the United States Navy: H.J. Res. 38, to recognize Commodore John Barry as the first flag officer of the United States Navy; **Page 28374**

Reauthorizing the Congressional Award Act: S. 335, to reauthorize the Congressional Award Act—clearing the measure for the President; **Page 28375**

Providing certain authorities for the Department of State: H.R. 4436, amended, to provide certain authorities for the Department of State; **Page 28377**

Expressing the sense of Congress that the Government of the United States should actively support the aspirations of the democratic political and social forces in the Republic of Nicaragua toward an immediate and full restoration of functioning democracy in that country: H. Con. Res. 252, amended, to express the sense of Congress that the Government of the United States should actively support the aspirations of the democratic political and social forces in the Republic of Nicaragua toward an immediate and full restoration of functioning democracy in that country; **Page 28379**

Agreed to amend the title so as to read "Expressing the sense of Congress that the Government of the United States should support democracy, the rule of law, and human rights in the Republic of Nicaragua and work cooperatively with regional and international organizations to bolster Nicaraguan efforts to establish the requisite conditions for free, fair, transparent, and inclusive presidential and legislative elections in 2006.". **Page 28382**

Remembering and commemorating the lives and work of Maryknoll Sisters Maura Clarke and Ita Ford, Ursuline Sister Dorothy Kazel, and Cleveland Lay Mission Team Member Jean Donovan, who were executed by members of the armed forces of El Salvador on December 2, 1980: H.R. 458, amended, to remember and commemorate the lives and work of Maryknoll Sisters Maura Clarke and Ita Ford, Ursuline Sister Dorothy Kazel, and Cleveland Lay Mission Team Member Jean Donovan, who were executed by members of the armed forces of El Salvador on December 2, 1980; **Page 28382**

Recommending the integration of the Republic of Croatia into the North Atlantic Treaty Organization: H. Res. 529, amended, to recommend the integration of the Republic of Croatia into the North Atlantic Treaty Organization; **Page 28388**

Honoring the victims of the Cambodian genocide that took place from April 1975 to January 1979: H. Con. Res. 238, amended, to honor the victims of the Cambodian genocide that took place from April 1975 to January 1979. **Page 28399**

Suspensions—Failed: The House failed to agree to suspend the rules and pass the following measure:

Establishing the Task Force on Ocean Policy: H. Res. 599, to establish the Task Force on Ocean Policy, by a yea-and-nay vote of 103 yeas to 327 nays, Roll No. 631. **Pages 28328, 28352**

Suspensions—Proceedings Postponed: The House completed debate on the following measures under suspension of the rules. Further consideration will continue at a later date on the measures:

Expressing the sense of the House of Representatives that the symbols and traditions of Christmas should be protected: H. Res. 579, amended, to express the sense of the House of Representatives that the symbols and traditions of Christmas should be protected; **Page 28364**

Urging the President to issue a proclamation for the observance of an American Jewish History Month: H. Con. Res. 315, to urge the President to issue a proclamation for the observance of an American Jewish History Month; **Page 28369**

Urging the Government of the Russian Federation to withdraw or modify proposed legislation that would have the effect of severely restricting the establishment, operations, and activities of domestic and foreign nongovernmental organizations in the Russian Federation: H. Con. Res. 312, amended, to urge the Government of the Russian Federation to withdraw or modify proposed legislation that would have the effect of severely restricting the establishment, operations, and activities of domestic and foreign nongovernmental organizations in the Russian Federation; **Page 28391**

Calling on the international community to condemn the Laogai, the system of forced labor prison camps in the People's Republic of China, as a tool for suppression maintained by the Chinese Government: H. Con. Res. 294, amended, to call on the international community to condemn the Laogai, the system of forced labor prison camps in the People's Republic of China, as a tool for suppression maintained by the Chinese Government; **Page 28394**

Condemning the Government of Zimbabwe's "Operation Murambatsvina" under which homes, businesses, religious structures, and other buildings and facilities were demolished in an effort characterized by the Government of Zimbabwe as an operation to "restore order" to the country: H. Res. 409, amended, condemning the Government of Zimbabwe's "Operation Murambatsvina" under which homes, businesses, religious structures, and other buildings and facilities were demolished in an effort characterized by the Government of Zimbabwe as an operation to "restore order" to the country; **Page 28401**

Providing that Hamas and other terrorist organizations should not participate in elections held by the Palestinian Authority: H.R. 575, amended, providing that Hamas and other terrorist organizations should not participate in elections held by the Palestinian Authority; **Page 28408**

Recognizing the importance and credibility of an independent Iraqi judiciary in the formation of a new and democratic Iraq: H. Res. 534, to recognize the importance and credibility of an independent Iraqi judiciary in the formation of a new and democratic Iraq; and **Page 28414**

Condemning actions by the Government of Syria that have hindered the investigation of the assassination of former Prime Minister of Lebanon Rafik Hariri conducted by the United Nations International Independent Investigation Commission (UNIIIC), expressing support for extending the UNIIIC's investigative mandate, and stating concern about similar assassination attempts apparently aimed at destabilizing Leb-

anon's security and undermining Lebanon's sovereignty: H. Res. 598, to condemn actions by the Government of Syria that have hindered the investigation of the assassination of former Prime Minister of Lebanon Rafik Hariri conducted by the United Nations International Independent Investigation Commission (UNIIIC), expressing support for extending the UNIIIC's investigative mandate, and stating concern about similar assassination attempts apparently aimed at destabilizing Lebanon's security and undermining Lebanon's sovereignty. **Page 28416**

Department of Defense Appropriations Act, 2006—Motion to go to Conference: The House disagreed to the Senate amendment to H.R. 2863, to make appropriations for the Department of Defense for the fiscal year ending September 30, 2006, and agreed to a conference. **Page 28347**

Agreed to the Murtha motion to instruct conferees on the bill by a yea and nay vote of 308 yeas to 122 nays, Roll No. 630, after ordering the previous question. **Pages 28347, 28351**

Agreed to close portions of the conference when classified national security material is being discussed by a yea and nay vote of 415 yeas to 9 nays, Roll No. 629. **Page 28351**

Later, the Chair appointed as conferees: Messrs. Young of Florida, Hobson, Bonilla, Frelinghuysen, Tiahrt, Wicker, Kingston, Ms. Granger, Messrs. Walsh, Aderholt, Lewis of California, Murtha, Dicks, Sabo, Visclosky, Moran of Virginia, Ms. Kaptur, Messrs. Edwards, and Obey. **Page 28353**

Senate Message: Message received from the Senate today appears on page 28375.

Senate Referrals: S. 1231 was referred to the Committees on Resources and Energy and Commerce and S. 449 was referred to the Committee on Resources. **Page 28422**

Quorum Calls—Votes: Six yea and nay votes and one recorded vote developed during the proceedings of today and appear on pages 28306–07, 28317, and 28351–53. There were no quorum calls.

Recess: The House recessed at 12:02 a.m. and reconvened at 8:15 a.m. on Thursday, December 15th. **Page 28422**

Adjournment: The House met at 10 a.m. and adjourned at 8:16 a.m. on Thursday, December 15th

Committee Meetings

USDA POSTED COUNTY PRICES

Committee on Agriculture: Subcommittee on General Farm Commodities and Risk Management held a hearing to review Technical Procedures of USDA's Establishment of Posted County Prices. Testimony was heard from Floyd Gaibler, Deputy Under Secretary, Farm and Foreign Agricultural Services, USDA; and public witnesses.

POST-HURRICANES HOUSING OPTIONS

Committee on Financial Services: Subcommittee on Housing and Community Opportunity, continued hearings entitled "Housing Options in the Aftermath of Hurricanes Katrina and Rita." Testimony was heard from the following officials of the Department of Housing and Urban Development: Brian D. Montgomery, Assistant Secretary, Housing/Federal Housing Commissioner; and Orlando J. Cabrera, Assistant Secretary, Public and Indian Housing.

SECURE HANDLING OF AMMONIUM NITRATE ACT OF 2005

Committee on Homeland Security: Subcommittee on Prevention of Nuclear and Biological Attack approved for full Committee action, as amended, H.R. 3197, Secure Handling of Ammonium Nitrate Act of 2005, 10 a.m., 2237 Rayburn.

Prior to this action, the Subcommittee held a hearing on H.R. 3197. Testimony was heard from James W. McMahon, Director, Office of Homeland Security, State of New York; and public witnesses.

OVERSIGHT—NATIONAL PARK SERVICE ORGANIC ACT

Committee on Resources: Subcommittee on National Parks held an oversight hearing on The National Park Service Organic Act and its Implementation through Daily Park Management. Testimony was heard from Steve Martin, Deputy Director, National Park Service, Department of the Interior; the following former officials of the Department of the Interior: William Horn, Assistant Secretary, Fish and Wildlife and Parks; and Denis Galvin, Deputy Director, National Park Service; and public witnesses.

BORDER PROTECTION, ANTITERRORISM, AND ILLEGAL IMMIGRATION CONTROL ACT OF 2005

Committee on Rules: Granted, by voice vote, a structured rule providing 2 hours of general debate on H.R. 4437, Border Protection, Antiterrorism, and Illegal Immigration Control Act of 2005, equally divided among and controlled by the chairman and ranking minority member of the Committee on the Judiciary and the chairman and ranking minority member of the Committee on Homeland Security. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill, modified by the amendment printed in part A of the Rules Committee report accompanying the resolution, shall be considered as adopted in the House and in the Committee of the Whole and shall be considered as read. The rule waives all points of order against the bill, as amended. The rule makes in order only those amendments printed in part B of the Rules Committee report.

The rule provides that the amendments printed in part B of the report may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule waives all points of order against amendments printed in part B of the report. Finally, the rule provides that, after disposition of the amendments printed in part B of the report, the Committee of the Whole shall rise without motion and no further consideration of the bill shall be in order except by a subsequent order of the House. Testimony was heard from Chairmen King and Sensenbrenner; and Representatives Chabot, King of Iowa, Flake, Gohmert, Kolbe, Rohrabacher, Deal of Georgia, Weldon of Florida, Sullivan, Gingrey, Garrett, Blackburn, McHenry, Poe, Campbell, Thompson of Mississippi, Loretta Sanchez of California, Markey, Meek of Florida, Jackson-Lee of Texas, Nadler, Berman, Linda T. Sánchez of California, Slaughter, Stupak, Reyes, Gonzalez, Davis of Tennessee and Ruppersberger.

PENSION PROTECTION ACT OF 2005

Committee on Rules: Granted, by voice vote, a closed rule providing 90 minutes of debate in the House on the bill H.R. 2830, Pension Protection Act of 2005, as amended, equally divided among and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce and the chairman and ranking minority member of the Committee on Ways and Means. The rule waives all points of order against consideration of the bill. In lieu of the amendments recommended by the Committee on Education and the Workforce and Ways of the amendments recommended by the Committees on Education and the Workforce and Ways and Means now printed in the bill, the amendment in the nature of a substitue printed in the part A of the report of the Committee on Rules accompanying the resolution shall be considered as adopted. The rule waives all points of order against the bill, as amended. The rule provides one motion to recommit with or without instructions. Finally, the rule provides that, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker. Testimony was heard from Chairman Boehner and Representatives Gutknecht and Visclosky.

HURRICANE KATRINA: PREPAREDNESS AND RESPONSE BY STATE OF LOUISIANA

Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina: Held a hearing entitled "Hurricane Katrina: Preparedness and Response by the State of Louisiana." Testimony was heard from the following officials of the State of Louisiana: Katheleen Babineaux Blanco, Governor; Jeff Smith, Deputy Director, Office of Homeland Security and Emergency Preparedness; C. Ray Nagin, Mayor, and Terry Ebbert, Director, Homeland Security; both with the City of New Orleans; William M. Lokey, Federal Coordinating Officer, Baton Rouge, and Phillip Barr, Deputy Federal Coordinating Officer, Advance Team in New Orleans, both with FEMA, Department of Homeland Security.

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Thursday, December 15, 2005

Senate

Chamber Action

Routine Proceedings, pages 28448–29539

Measures Introduced: Fourteen bills and three resolutions were introduced, as follows: S. 2105–2118, S. Res. 334, and S. Con. Res. 70–71. **Page 28509**

Measures Reported:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals from the Concurrent Resolution for Fiscal Year 2006.". (S. Rept. No. 109–207)

S. 1312, to amend a provision relating to employees of the United States assigned to, or employed by, an Indian tribe. (S. Rept. No. 109–208)

Report to accompany S. 572, to amend the Homeland Security Act of 2002 to give additional biosecurity responsibilities to the Department of Homeland Security. (S. Rept. No. 109–209) **Page 28509**

Measures Passed:

Honoring Former Senator William Proxmire: Senate agreed to S. Res. 334, relative to the death of William Proxmire, former U.S. Senator from the state of Wisconsin. **Page 28535**

Real Property Jurisdiction Transfer: Senate passed S. 2116, to transfer jurisdiction of certain real property to the Supreme Court. **Page 28535**

Coral Reef Conservation Amendments Act: Senate passed S. 1390, to reauthorize the Coral Reef Conservation Act of 2000, after agreeing to the committee amendments, and the following amendments proposed thereto: **Page 28536**

McConnell (for Stevens) Amendment No. 2677, to make it clear that damage from derelict fishing gear and vessel anchors and anchor chains warrants emergency response action. **Page 28537**

McConnell (for Stevens) Amendment No. 2678, to strike references to certain laws. **Page 28537**

State Department Authorities: Senate passed H.R. 4436, to provide certain authorities for the Department of State, clearing the measure for the President. **Page 28538**

Philippines Immigration Centennial: Senate agreed to H. Con. Res. 218, recognizing the centennial of sustained immigration from the Philippines to the United States and acknowledging the contributions of our Filipino-American community to our country over the last century, after agreeing to the following amendment: **Page 28538**

McConnell (for Akaka) Amendment No. 2679, of a technical nature. **Page 28539**

Predisaster Mitigation Program Reauthorization Act: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of H.R. 4324, to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to reauthorize the predisaster mitigation program, clearing the measure for the President. **Page 28539**

Labor/HHS/Education Appropriations—Conference Report: Senate began consideration of the conference report to accompany H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006. **Page 28448**

U.S. Patriot Act Reauthorization—Conference Report: Senate continued consideration of the conference report to accompany H.R. 3199, to extend and modify authorities needed to combat terrorism. **Page 28457**

A unanimous-consent-time agreement was reached providing for further consideration of the conference report at approximately 10 a.m., on Friday, December 16, 2005, that there be 60 minutes for debate, to be followed by a vote on the motion to invoke cloture thereon at approximately 11 a.m. **Page 28539**

Deficit Reduction Act—Motions to Instruct Conferees: Senate continued consideration of the message from the House of Representatives to accompany S. 1932, to provide for reconciliation pursuant to section 202(a) of the concurrent resolution on the budget for fiscal year 2006 (H. Con. Res. 95), taking action on the following motions to instruct conferees proposed thereto: **Page 28479**

Adopted:

By 71 yeas to 20 nays (Vote No. 354), Senate agreed to DeWine Motion to Instruct Conferees to insist that any conference report shall not include the provisions contained in section 8701 of the House amendment relating to the repeal of section 754 of the Tariff Act of 1930. **Page 28480**

By 75 yeas to 16 nays (Vote No. 355), Senate agreed to Kohl Motion to Instruct Conferees to insist that any conference report shall not include any of the provisions in the House amendment that reduce funding for the child support program established under part D of title IV of the Social Security Act (42 U.S.C. 651 et seq.), and to insist that the conference report shall not include any restrictions on the ability of States to use Federal child support incentive payments for child support program expenditures that are eligible for Federal matching payments. **Page 28482**

By 83 yeas to 8 nays (Vote No. 356), Senate agreed to Kennedy Motion to Instruct Conferees to insist that the Senate provisions increasing need based financial aid in the bill S. 1932, which were fully offset by savings in the bill S. 1932, be included in the final conference report and that the House provisions in the bill H.R. 4241 that impose new fees and costs on students in school and in repayment be rejected in the final conference report. **Page 28482**

By 63 yeas to 28 nays (Vote No. 357), Senate agreed to Reed Motion to Instruct Conferees to insist on a provision that makes available $2,920,000,000 for the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 et seq.), in addition to the $2,183,000,000 made available for such Act in the Departments of Labor, Health, and Human Services, and Education, and Related Agencies Appropriations Act, 2006. **Page 28483**

The Chair was authorized to appoint the following conferees on the part of the Senate: Senators Gregg, Domenici, Grassley, Enzi, Allard, Sessions, Stevens, Shelby, Specter, Chambliss, McConnell, Conrad, Murray, Harkin, Sarbanes, Inouye, Bingaman, Baucus, Kennedy, and Leahy. **Page 28485**

Senator Corzine Tributes—Agreement: A unanimous-consent agreement was reached providing that Senators be permitted to submit tributes to Senator Corzine for the Congressional Record until December 29, 2005, and that the tributes be printed as a Senate document. **Page 29539**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report relative to the export of accelerometers to the People's Republic of China's Ministry of Railways; which was referred to the Committee on Foreign Relations. (PM–33) **Page 28505**

Nominations Received: Senate received the following nominations:

Stephen G. Larson, of California, to be United States District Judge for the Central District of California.

Terrance P. Flynn, of New York, to be United States Attorney for the Western District of New York for the term of four years. **Page 28539**

Messages From the House: **Page 28505**

Measures Read First Time: **Page 28506**

Enrolled Bills Presented: **Page 28506**

Executive Communications: **Page 28506**

Executive Reports of Committees: Page 28509

Additional Cosponsors: Page 28510

Statements on Introduced Bills/Resolutions: Page 28512

Additional Statements: Page 28502

Amendments Submitted: Page 28534

Authorities for Committees to Meet: Page 28534

Privileges of the Floor: Page 28535

Record Votes: Four record votes were taken today. (Total—357) Pages 28481–83, 28485

Adjournment: Senate convened at 9 a.m., and as a further mark of respect to the memory of the late Senator William J. Proxmire, former United States Senator for the State of Wisconsin, in accordance with S. Res. 334, adjourned at 7:54 p.m., until 9:30 a.m., on Friday, December 16, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 28539.)

Committee Meetings

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the following business items:

S. 2012, to authorize appropriations to the Secretary of Commerce for the Magnuson-Stevens Fishery Conservation and Management Act for fiscal years 2006 through 2012, with an amendment in the nature of a substitute;

S. 1608, to enhance Federal Trade Commission enforcement against illegal spam, spyware, and cross-border fraud and deception; and

The nomination of one officer in the Coast Guard.

NEW ORLEANS LEVEES

Committee on Homeland Security and Governmental Affairs: Committee held a hearing to examine New Orleans (Louisiana) levees relating to Hurricane Katrina, focusing on storm damage reduction projects in metropolitan New Orleans, federal, state, and local responsibility for operation, maintenance, and inspection of the levees, the role of the Army Corps of Engineers in response to a hurricane, and support of the Federal Emergency Management Agency, receiving testimony from Colonel Richard P. Wagenaar, Commander and District Engineer, Alfred C. Naomi, Senior Project Manager, and Gerard A. Colletti, Operations Manager for Completed Works, all of the New Orleans District, U.S. Army Corps of Engineers; Edmond J. Preau, Jr., Louisiana Department of Transportation and Development, Baton Rouge; and James P. Huey and Max L. Hearn, both of New Orleans, Louisiana, on behalf of the Orleans Levee District.

Hearing recessed subject to the call.

BUSINESS MEETING

Committee on Homeland Security and Governmental Affairs: Committee ordered favorably reported the following business items:

S. 1445, to designate the facility of the United States Postal Service located at 520 Colorado Avenue in Arriba, Colorado, as the "William H. Emery Post Office";

S. 1792, to designate the facility of the United States Postal Service located at 205 West Washington Street in Knox, Indiana, as the "Grant W. Green Post Office Building";

H.R. 3770, to designate the facility of the United States Postal Service located at 205 West Washington Street in Knox, Indiana, as the "Grant W. Green Post Office Building";

S. 1820, to designate the facility of the United States Postal Service located at 6110 East 51st Place in Tulsa, Oklahoma as the "Dewey F. Bartlett Post Office";

S. 2036, to designate the facility of the United States Postal Service located at 320 High Street in Clinton, Massachusetts, as the "Raymond J. Salmon Post Office";

S. 2064, to designate the facility of the United States Postal Service located at 122 South Bill Street in Francesville, Indiana, as the "Malcolm Melville 'Mac' Lawrence Post Office";

S. 2089, to designate the facility of the United States Postal Service located at 1271 North King Street in Honolulu, Oahu, Hawaii, as the "Hiram L. Fong Post Office Building";

H.R. 2113, to designate the facility of the United States Postal Service located at 2000 McDonough Street in Joliet, Illinois, as the "John F. Whiteside Joliet Post Office Building";

H.R. 2346, to designate the facility of the United States Postal Service located at 105 NW Railroad Avenue in Hammond, Louisiana, as the "John J. Hainkel, Jr. Post Office Building";

H.R. 2413, to designate the facility of the United States Postal Service located at 1202 1st Street in Humble, Texas, as the "Lillian McKay Post Office Building";

H.R. 2630, to designate the facility of the United States Postal Service located at 1927 Sangamon Avenue in Springfield, Illinois, as the "J.M. Dietrich Northeast Annex";

H.R. 2894, to designate the facility of the United States Postal Service located at 102 South Walters Avenue in Hodgenville, Kentucky, as the "Abraham Lincoln Birthplace Post Office Building";

H.R. 3256, to designate the facility of the United States Postal Service located at 3038 West Liberty Avenue in Pittsburgh, Pennsylvania, as the "Congressman James Grove Fulton Memorial Post Office Building";

H.R. 3368, to designate the facility of the United States Postal Service located at 6483 Lincoln Street in Gagetown, Michigan, as the "Gagetown Veterans Memorial Post Office";

H.R. 3439, to designate the facility of the United States Postal Service located at 201 North 3rd Street in Smithfield, North Carolina, as the "Ava Gardner Post Office";

H.R. 3548, to designate the facility of the United States Postal Service located on Franklin Avenue in Pearl River, New York, as the "Heinz Ahlmeyer, Jr. Post Office Building";

H.R. 3703, to designate the facility of the United States Postal Service located at 8501 Philatelic Drive in Spring Hill, Florida, as the "Staff Sergeant Michael Schafer Post Office";

H.R. 3825, to designate the facility of the United States Postal Service located at 770 Trumbull Drive in Pittsburgh, Pennsylvania, the "Clayton J. Smith Memorial Post Office";

H.R. 3830, to designate the facility of the United States Postal Service located at 130 East Marion Avenue in Punta Gorda, Florida as the "United States Cleveland Post Office Building";

H.R. 4053, to designate the facility of the United States Postal Service located at 545 North Rimsdale Avenue in Covina, California as the "Lillian Kinkella Keil Post Office";

H.R. 3989, a bill to designate the facility of the United States Postal Service located at 37598 Goodhue Avenue in Dennison, Minnesota, as the "Albert H. Quie Post Office"; and

The nominations of George W. Foresman to be Under Secretary of Homeland Security for Preparedness, and Mary M. Rose to be a Member, Merit Systems Protection Board.

BUSINESS MEETING

Select Committee on Intelligence: Committee met in closed session to consider pending intelligence matters.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 17 public bills, H.R. 4549–4565; 1 private bill, H.R. 4566; and 10 resolutions, H. Con. Res. 317–318; and H. Res. 611–618 were introduced. **Page 28768**

Additional Cosponsors: **Page 28770**

Reports Filed: Reports were filed today as follows:

H. Res. 619, providing for consideration of the resolution (H. Res. 612) expressing the commitment of the House of Representatives to achieving victory in Iraq (H. Rept. 109-348);

H. Res. 620, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 109-349); and

H. Res. 621; providing for further consideration of the bill (H.R. 4437) to amend the Immigration and Nationality Act to strengthen enforcement of the immigration laws, to enhance border security (H. Rept. 109-350). **Page 28768**

Pension Protection Act of 2005: The House passed H.R. 2830, to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to reform the pension funding rules by a recorded vote of 294 ayes to 132 noes, Roll No. 635. **Page 28561**

Rejected the Miller motion to recommit the bill to the Committee on Education and the Workforce and the Committee on Ways and Means with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay vote of 200 yeas to 227 nays, Roll No. 634, after agreeing to the previous question. **Page 28658**

Pursuant to the rule, in lieu of the amendments reported by the Committees on Education and the Workforce and Ways and Means now printed in the bill, the amendment in the nature of a substitute printed in part A of H. Rept. 109–346 shall be considered as adopted. **Page 28592**

H. Res. 602, the rule providing for consideration of the bill was agreed to by a yea-and-nay vote of 226 yeas to 199 nays, Roll No. 633, after agreeing to order the previous question. **Pages 28543, 28561**

Suspensions: The House agreed to suspend the rules and pass the following measure which was debated on Wednesday, December 14th: The House agreed to suspend the rules and pass the following measures:

Expressing the sense of the House of Representatives that the symbols and traditions of Christmas should be protected: H. Res. 579, amended, to express the sense of the House of Representatives that the symbols and traditions of Christmas should be protected, by a yea-and-nay vote of 401 yeas to 22 nays with 5 voting "present", Roll No. 637; **Page 28688**

Agreed to amend the title so as to read "Expressing the sense of the House of Representatives that the symbols and traditions of Christmas should be protected for those who celebrate Christmas.". **Page 28689**

Urging the President to issue a proclamation for the observance of an American Jewish History Month: H. Con. Res. 315, to urge the President to issue a proclamation for the observance of an American Jewish History Month, by a yea-and-nay vote of 423 yeas with none voting "nay", Roll No. 638; and **Page 28689**

Urging the Government of the Russian Federation to withdraw or modify proposed legislation that would have the effect of severely restricting the establishment, operations, and activities of domestic and foreign non-

governmental organizations in the Russian Federation: H. Con. Res. 312, amended, to urge the Government of the Russian Federation to withdraw or modify proposed legislation that would have the effect of severely restricting the establishment, operations, and activities of domestic and foreign nongovernmental organizations in the Russian Federation, by a yea-and-nay vote of 405 yeas to 15 nays, Roll No. 641. **Page 28750**

Agreed to amend the title so as to read "Urging the Government of the Russian Federation to withdraw the first draft of the proposed legislation as passed in its first reading in the State Duma that would have the effect of severely restricting the establishment, operations, and activities of domestic, international, and foreign nongovernmental organizations in the Russian Federation, or to modify the proposed legislation to entirely remove these restrictions.". **Page 28751**

Border Protection, Antiterrorism, and Illegal Immigration Control Act of 2005: The House began consideration on H.R. 4437, to amend the Immigration and Nationality Act to strengthen enforcement of the immigration laws, to enhance border security. Further consideration will continue at a later date. **Page 28690**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill, modified by the amendment printed in part A of H. Rept. 109–347, shall be considered as adopted in the House and in the Committee of the Whole and shall be considered as read. **Page 28710**

Agreed to:

Carter amendment (No. 1 printed in H. Rept. 109–347) that requires the Secretary of Homeland Security to include satellite communications in the plan authorized by Section 106 of H.R. 4473; **Page 28728**

Gohmert amendment (No. 2 printed in H. Rept. 109–347) which directs the Inspector General to refer any instances of misconduct or wrongdoing on a contract to the Secretary of the Department of Homeland Security or other appropriate official for the purpose of evaluating whether or not suspension or debarment of the contractor is warranted; **Page 28729**

Johnson, Sam, of Texas amendment (No. 3 printed in H. Rept. 109–347) that expresses the sense of Congress that the President, Attorney General, Secretary of State, Secretary of Homeland Security and other Department Secretaries should immediately use every tool available to them to enforce the immigration laws of the U.S., as enacted by Congress; **Page 28730**

Renzi amendment (No. 4 printed in H. Rept. 109–347) which states that all uniforms procured for use by Border Patrol agents are to be made in the United States; **Page 28733**

Castle amendment (No. 5 printed in H. Rept. 109–347) that requires DHS to submit a timeline for: (1) equipping all land borders with the US–VISIT entry/exit system; (2) developing and deploying the exit component of the US–VISIT system at all land borders; and (3) making all border screening systems operated by the Department interoperable; **Page 28734**

Campbell amendment (No. 7 printed in H. Rept. 109–347) that amends Section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 by replacing "Immigration and Naturalization Service" with "Department of Homeland Security" and enforces Section 642 by stating that the Attorney General shall not provide any grant amount to any Federal, State, or local government agency or entity that violates the Act (which states that any government official or entity may not be prohibited from sending information to DHS regarding the citizenship or immigration status of any individual); **Page 28737**

Castle amendment (No. 9 printed in H. Rept. 109–347) which requires the Department of Homeland Security to report to Congress on: (1) the number of illegal aliens from noncontiguous countries who are apprehended at or between ports of entry; (2) the number of such aliens that have been deported; and (3) the number of such aliens from countries identified as sponsors of terrorism. Also encourages the Department to develop a strategy for entering the appropriate background information of illegal aliens from countries sponsoring terrorism into appropriate security screening watch lists; **Page 28741**

Brown-Waite, Ginny of Florida amendment (No. 10 printed in H. Rept. 109–347) that inserts a new section declaring that Congress condemns rapes by smugglers along the international land border of the U.S. and urges in the strongest possible terms the government of Mexico to work in coordination with the U.S. Customs and Border Protection of the Department of Homeland Security to take immediate action to prevent such rapes from occurring; **Page 28743**

DeFazio amendment (No. 12 printed in H. Rept. 109–347) that directs Customs and Border Protection (CPB) to conduct a pilot program to evaluate the use of automated systems for immediate prescreening of individual airline passengers bound for the U.S. before they board a plane. Pilot would use at least one airline in two foreign airports and evaluate up to three automated systems. CBP would be required to report to Congress no later than 30 days after completion of the pilot and provide a plan to fully deploy the most preferable prescreening system no later than January 1, 2007; and **Page 28747**

Hunter amendment (No. 11 printed in H. Rept. 109–347) that mandates the construction of specific security fencing, including lights and cameras, along the Southwest border for the purposes of gaining operational control of the border. Fencing has been designated in sectors that have the highest number of immigrant deaths, instances of drug smuggling and illegal border crossings. The amendment includes a requirement for the Secretary

of Homeland Security to conduct a study on the use of physical barriers along the Northern border (by a recorded vote of 260 ayes to 159 noes, Roll No. 640).
Pages 28744, 28749

Rejected:

Jackson-Lee of Texas amendment (No. 8 printed in H. Rept. 109–347) that sought to provide guidelines for implementing the secured alternatives to detention provision in section 402(a) (by a recorded vote of 162 ayes to 252 noes, Roll No. 639). **Pages 28739, 28748**

Withdrawn:

Gingrey amendment (No. 6 printed in H. Rept. 109–347) that was offered and subsequently withdrawn, which sought to suspend the Visa Waiver Program until the automated entry-exit program is operational and until ports of entry have functional biometric machine readers.
Page 28736

H. Res. 610, the rule providing for consideration of the bill, was agreed to, by a yea-and-nay vote of 220 yeas to 206 nays, Roll No. 636, after agreeing to order the previous question. **Pages 28552, 28688**

National Defense Authorization Act for Fiscal Year 2006—Motion to go to Conference: The House disagreed to the Senate amendment to H.R. 1815, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and agreed to a conference. **Page 28751**

The House debated the Skelton motion to instruct conferees, the Chair announced that further consideration will be postponed. **Page 28751**

Presidential Message: Read a message from the President in accordance with the provisions of section 1512 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261). Certifying the export of 36 accelerometers to the People's Republic of China—referred to the Committee on International Relations and ordered printed (H. Doc. 109–74).
Page 28760

Succession of the Speaker of the House: Read a letter from the Speaker wherein he designated Representative Blunt to act jointly with the Majority Leader of the Senate or his designee in the event of the death or inability of the Speaker, to notify Members of the House and Senate of any reassembly. **Page 28767**

Senate Message: Messages received from the Senate today appear on pages 28736 and 28759.

Senate Referrals: S. 1390 was referred to the Committee on Resources and S. 2116 was held at the desk.
Page 28768

Quorum Calls—Votes: Six yea-and-nay votes and three recorded votes developed during the proceedings of today and appear on pages 28561, 28686–90, and 28748–50. There were no quorum calls.

Recess: The House recessed at 12:04 a.m. and reconvened at 7:15 a.m. on Friday, December 16th.
Page 28767

Adjournment: The House met at 10 a.m. and adjourned at 7:16 a.m. on Friday, December 16th.

Committee Meetings

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Ordered reported the following bills: H.R. 4167, National Uniformity for Food Act of 2005; and without recommendation H.R. 3699, amended, Federal and District of Columbia Government Real Property Act of 2005.

OVERSIGHT—DRUG DISCOUNT PROGRAM

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "Oversight and Administration of the 340B Drug Discount Program: Improving Efficiency and Transparency." Testimony was heard from the following officials of the Department of Health and Human Services: Stuart Wright, Deputy Inspector General, Evaluation and Inspections; and Dennis Williams, Deputy Administrator, Health Resources and Services Administration; and public witnesses.

LOUISIANA RECOVERY CORPORATION ACT

Committee on Financial Services: Ordered reported, as amended, H.R. 4100, Louisiana Recovery Corporation Act.

INVESTIGATIVE REPORTS; COMMITTEE BUSINESS

Committee on Government Reform: Approved the following Investigative Reports "Bringing Communities into the 21st Century: A Report on Improving the Community Development Block Grant Program;" and "The Methamphetamine Epidemic: International Roots of the Problem, and Recommended Solutions."

The Committee also approved other pending Committee business.

RESOLUTION—IRAQ WAR DOCUMENT REQUEST

Committee on International Relations: Ordered reported, as amended, without recommendation H. Res. 549, Requesting the President of the United States provide to the House of Representatives all documents in his possession relating to his October 7, 2002, speech in Cincinnati, Ohio, and his January 28, 2003, State of the Union address.

OVERSIGHT—HURRICANES KATRINA AND RITA EFFECTS ON GULF FISHING

Committee on Resources: Subcommittee on Fisheries and Oceans held an oversight hearing on the Effects of Hurricanes Katrina and Rita on Fishing Resources, the Fishing Industry and Fishing Communities in the Gulf of Mexico. Testimony was heard from William T. Hogarth, Director, National Marine Fisheries Service, NOAA, Department of Commerce; and public witnesses.

RESOLUTION—EXPRESSING HOUSE COMMITMENT TO ACHIEVING VICTORY IN IRAQ

Committee on Rules: Granted, by voice vote, a closed rule providing 1 hour of debate in the House on H. Res. 612, Expressing the commitment of the House of Representatives to achieving victory in Iraq, equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations. The rule waives all points of order against consideration of the resolution. The rule provides one motion to recommit, which may not contain instructions. Section 2 of the rule provides that on the first legislative day of the second session of the One Hundred Ninth Congress, the House shall not conduct organization or legislative business. Testimony was heard from Representatives Ros-Lehtinen and Lantos.

BORDER PROTECTION, ANTITERRORISM, AND ILLEGAL IMMIGRATION CONTROL ACT OF 2005

Committee on Rules: Granted, by voice vote, a structured rule providing for further consideration of the bill, H.R. 4437, Border Protection, Antiterrorism, and Illegal Immigration Control Act of 2005. The rule provides that no further general debate is in order, and the remaining proceedings under House Resolution 610 shall be considered as subsumed by this resolution. The rule makes in order only those amendments printed in the Rules Committee report accompanying this resolution. The rule provides that the amendments printed in the report accompanying this resolution may be offered only in the order printed in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the questions in the House or in the Committee of the Whole. The rule waives all points of order against amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions.

SAME DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE RULES COMMITTEE

Committee on Rules: Granted, by voice vote, a rule waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The rule applies the waiver to any special rule reported on the legislative day of December 16, 2005, or December 17, 2005.

OVERSIGHT—VETERANS AFFAIRS FLU VACCINATION/PANDEMIC PREPARATION

Committee on Veterans' Affairs: Subcommittee Oversight and Investigations held an oversight hearing on the Department of Veterans Affairs' flu vaccination program, and preparations for a possible Avian Flu Pandemic. Testimony was heard from the following officials of the Department of Veterans Affairs: Lawrence Deyton, M.D., Chief Consultant, Public Health Strategic Health Care Group; and Robert Muder. M.D., Staff Physician, Veterans Affairs Pittsburgh Health Care System; and Denise Cardo, M.D., Director, Division of Healthcare Quality Promotion, Centers for Disease Control and Prevention, Department of Health and Human Services.

BRIEFING—GLOBAL UPDATES/HOTSPOTS

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on Global Updates/Hotspots. The Committee was briefed by departmental witnesses.

RADICAL ISLAM IN THE UNITED STATES

Permanent Select Committee on Intelligence: Subcommittee on Intelligence Policy met in executive session to hold a hearing entitled "Radical Islam in the United States." Testimony was heard from departmental witnesses.

Joint Meetings

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION ACT

Conferees agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 1281, to authorize appropriations for the National Aeronautics and Space Administration for science, aeronautics, exploration, exploration capabilities, and the Inspector General, and for other purposes, for fiscal years 2006, 2007, 2008, 2009, and 2010.

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Friday, December 16, 2005

Senate

Chamber Action

Routine Proceedings, pages 28787–29052

Measures Introduced: Twenty-two bills and seven resolutions were introduced, as follows: S. 2119–2140, S. Res. 335–339, and S. Con. Res. 72–73. **Page 28887**

Measures Reported:

H.R. 2113, to designate the facility of the United States Postal Service located at 2000 McDonough Street in Joliet, Illinois, as the "John F. Whiteside Joliet Post Office Building".

H.R. 2346, To designate the facility of the United States Postal Service located at 105 NW Railroad Avenue in Hammond, Louisiana, as the "John J. Hainkel, Jr. Post Office Building".

H.R. 2413, to designate the facility of the United States Postal Service located at 1202 1st Street in Humble, Texas, as the "Lillian McKay Post Office Building".

H.R. 2630, to redesignate the facility of the United States Postal Service located at 1927 Sangamon Avenue in Springfield, Illinois, as the "J.M. Dietrich Northeast Annex".

H.R. 2894, to designate the facility of the United States Postal Service located at 102 South Walters Avenue in Hodgenville, Kentucky, as the "Abraham Lincoln Birthplace Post Office Building".

H.R. 3256, to designate the facility of the United States Postal Service located at 3038 West Liberty Avenue in Pittsburgh, Pennsylvania, as the "Congressman James Grove Fulton Memorial Post Office Building".

H.R. 3368, to designate the facility of the United States Postal Service located at 6483 Lincoln Street in Gagetown, Michigan, as the "Gagetown Veterans Memorial Post Office".

H.R. 3439, to designate the facility of the United States Postal Service located at 201 North 3rd Street in Smithfield, North Carolina, as the "Ava Gardner Post Office".

H.R. 3548, to designate the facility of the United States Postal Service located on Franklin Avenue in Pearl River, New York, as the "Heinz Ahlmeyer, Jr. Post Office Building".

H.R. 3703, to designate the facility of the United States Postal Service located at 8501 Philatelic Drive in Spring Hill, Florida, as the "Staff Sergeant Michael Schafer Post Office Building".

H.R. 3770, to designate the facility of the United States Postal Service located at 205 West Washington Street in Knox, Indiana, as the "Grant W. Green Post Office Building".

H.R. 3825, to designate the facility of the United States Postal Service located at 770 Trumbull Drive in Pittsburgh, Pennsylvania, as the "Clayton J. Smith Memorial Post Office Building".

H.R. 3830, to designate the facility of the United States Postal Service located at 130 East Marion Avenue in Punta Gorda, Florida, as the "U.S. Cleveland Post Office Building".

H.R. 3989, to designate the facility of the United States Postal Service located at 37598 Goodhue Avenue in Dennison, Minnesota, as the "Albert H. Quie Post Office".

H.R. 4053, to designate the facility of the United States Postal Service located at 545 North Rimsdale Avenue in Covina, California as the "Lillian Kinkella Keil Post Office".

S. 1445, to designate the facility of the United States Postal Service located at 520 Colorado Avenue in Arriba, Colorado, as the "William H. Emery Post Office".

S. 1792, to designate the facility of the United States Postal Service located at 205 West Washington Street in Knox, Indiana, as the "Grant W. Green Post Office Building".

S. 1820, to designate the facility of the United States Postal Service located at 6110 East 51st Place in Tulsa, Oklahoma, as the "Dewey F. Bartlett Post Office".

S. 2036, to designate the facility of the United States Postal Service located at 320 High Street in Clinton, Massachusetts, as the "Raymond J. Salmon Post Office".

S. 2064, to designate the facility of the United States Postal Service located at 122 South Bill Street in Francesville, Indiana, as the Malcolm Melville "Mac" Lawrence Post Office.

S. 2089, to designate the facility of the United States Postal Service located at 1271 North King Street in Honolulu, Oahu, Hawaii, as the "Hiram L. Fong Post Office Building". **Page 28886**

Measures Passed:

Milk Marketing Regulatory Equity: Senate passed S. 2120, to ensure regulatory equity between and among all dairy farmers and handlers for sales of packaged fluid milk in federally regulated milk marketing areas and into certain non-federally regulated milk marketing areas from federally regulated areas. **Page 28799**

Gulf Opportunity Zone Act: Senate passed H.R. 4440, to amend the Internal Revenue Code of 1986 to provide tax benefits for the Gulf Opportunity Zone and certain areas affected by Hurricanes Rita and Wilma, after taking action on the following amendment proposed thereto: **Page 28800**

Lott (for Grassley) Amendment No. 2680, in the nature of a substitute. **Page 28805**

Department of Justice Authorization: Committee on the Judiciary was discharged from further consideration of H.R. 3402, to authorize appropriations for the Department of Justice for fiscal years 2006 through 2009, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Page 28849**

Santorum (for Specter) Amendment No. 2681, in the nature of a substitute. **Page 28849**

Condemning Anti-Semitic Statements: Senate agreed to S. Res. 337, to condemn the harmful, destructive, and anti-Semitic statements of Mahmoud Ahmadinejad, the President of Iran, and to demand an apology for those statements of hate and animosity towards all Jewish people of the world. **Page 28867**

Stem Cell Therapeutic and Research Act: Senate passed H.R. 2520, to provide for the collection and maintenance of human cord blood stem cells for the treatment of patients and research, and to amend the Public Health Service Act to authorize the C.W. Bill Young Cell Transplantation Program, after agreeing to the following amendment proposed thereto: **Page 29037**

Frist (for Hatch) Amendment No. 2688, in the nature of a substitute. **Page 29037**

Newlands Project Headquarters and Maintenance Yard Facility Transfer Act: Senate passed S. 310, to direct the Secretary of the Interior to convey the Newlands Project Headquarters and Maintenance Yard Facility to the Truckee-Carson Irrigation District in the State of Nevada. **Page 29041**

Lower Farmington River and Salmon Brook Wild and Scenic River Study Act: Senate passed S. 435, to amend the Wild and Scenic Rivers Act to designate a segment of the Farmington River and Salmon Brook in the State of Connecticut for study for potential addition to the National Wild and Scenic Rivers System, after agreeing to the committee amendment. **Page 29041**

Reclamation States Emergency Drought Relief Act Amendment: Senate passed S. 648, to amend the Reclamation States Emergency Drought Relief Act of 1991 to extend the authority for drought assistance. **Page 29041**

Wichita Project Equus Beds Division Authorization Act: Senate passed S. 1025, to amend the Reclamation States Emergency Drought Relief Act of 1991 to extend the authority for drought assistance, after agreeing to the committee amendment. **Page 29041**

Musconetcong Wild and Scenic Rivers Act: Senate passed S. 1096, to amend the Wild and Scenic Rivers Act to designate portions of the Musconetcong River in the State of New Jersey as a component of the National Wild and Scenic Rivers System, after agreeing to the following amendment proposed thereto: **Page 29042**

Frist (for Domenici) Amendment No. 2682, of a technical nature. **Page 29042**

Delaware Water Gap National Recreation Area Improvement Act: Senate passed S. 1310, to authorize the Secretary of the Interior to allow the Columbia Gas Transmission Corporation to increase the diameter of a natural gas pipeline located in the Delaware Water Gap National Recreation Area, to allow certain commercial vehicles to continue to use Route 209 within Delaware Water Gap National Recreation Area, and to extend the termination date of the National Park System Advisory Board to January 1, 2007, after agreeing to the committee amendments, and the following amendment proposed thereto: **Page 29042**

Frist (for Domenici) Amendment No. 2683, in the nature of a substitute. **Page 29043**

Frist (for Domenici) Amendment No. 2684, to amend the title. **Page 29043**

Secretary of the Interior Authorization: Senate passed S. 1552, to amend Public Law 97–435 to extend the authorization for the Secretary of the Interior to release certain conditions contained in a patent concerning certain land conveyed by the United States to Eastern Washington University until December 31, 2009. **Page 29043**

Upper Colorado and San Juan River Basin Endangered Fish Recovery Programs Reauthorization Act: Senate passed S. 1578, to reauthorize the Upper Colorado and San Juan River Basin endangered fish recovery implementation programs. **Page 29043**

Southern Oregon Bureau of Reclamation Repayment Act: Committee on Energy and Natural Resources was discharged from further consideration of H.R. 4195, to authorize early repayment of obligations to the Bureau of Reclamation within Rogue River Valley Irrigation District or within Medford Irrigation District, and the bill was then passed, clearing the measure for the President. **Page 29043**

Federal Water Pollution Control Act Amendment: Senate passed H.R. 3963, to amend the Federal Water Pollution Control Act to extend the authorization of appropriations for Long Island Sound, clearing the measure for the President. **Page 29044**

Coast Guard Hurricane Relief Act: Senate passed H.R. 4508, to commend the outstanding efforts in response to Hurricane Katrina by members and employees of the Coast Guard, to provide temporary relief to certain persons affected by such hurricane with respect to certain laws administered by the Coast Guard, clearing the measure for the President. **Page 29044**

Recognizing Commodore John Barry: Senate passed H.J. Res. 38, recognizing Commodore John Barry as the first flag officer of the United States Navy, clearing the measure for the President. **Page 29044**

Korean American Day: Committee on the Judiciary was discharged from further consideration of S. Res. 283, recognizing the contributions of Korean Americans to the United States and encouraging the celebration of "Korean American Day", and the resolution was then agreed to. **Page 29044**

Coast Barrier Resources Reauthorization Act: Senate passed S. 1869, to reauthorize the Coastal Barrier Resources Act, after agreeing to the committee amendment. **Page 29045**

James Campbell National Wildlife Refuge Expansion Act: Senate passed S. 1165, to provide for the expansion of the James Campbell National Wildlife Refuge, Honolulu County, Hawaii, after agreeing to the committee amendments. **Page 29045**

Electronic Duck Stamp Act: Senate passed S. 1496, to direct the Secretary of the Interior to conduct a pilot program under which up to 15 States may issue electronic Federal migratory bird hunting stamps, after agreeing to the committee amendments. **Page 29046**

Star-Spangled Banner and War of 1812 Bicentennial Commission Act: Committee on the Judiciary was discharged from further consideration of S. 959, to establish the Star-Spangled Banner and War of 1812 Bicentennial Commission, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Page 29049**

Frist (for Sarbanes) Amendment No. 2685, to include all of the 28 States originally on the National Park Service's list in the commission. **Page 29049**

President Roosevelt Nobel Peace Prize Commemoration: Committee on Banking, Housing and Urban Affairs was discharged from further consideration of S. 863, to require the Secretary of the Treasury to mint coins in commemoration of the centenary of the bestowal of the Nobel Peace Prize on President Theodore Roosevelt, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Page 29049**

Frist (for Shelby) Amendment No. 2686, to authorize the Secretary of the Treasury to issue, after December 31, 2005, numismatic items that contain 5-cent coins minted in the years 2004 and 2005. **Page 29049**

Honoring Armed Forces in Iraq and Afghanistan: Senate agreed to S. Res. 338, honoring the memory of the members of the Armed Forces of the United States who have given their lives in service to the United States in Operation Iraqi Freedom and Operation Enduring Freedom. **Page 29049**

Russian Federation Legislation: Senate agreed to S. Res. 339, urging the Government of the Russian Federation to withdraw the first draft of the proposed legislation as passed in its first reading in the State Duma that would have the effect of severely restricting the establishment, operations, and activities of domestic, international, and foreign nongovernmental organizations in the Russian Federation, or to modify the proposed legislation to entirely remove these restrictions. **Page 29049**

Indian Tribe Employees: Senate passed S. 1312, to amend a provision relating to employees of the United States assigned to, or employed by, and Indian tribe. **Page 29050**

Frist (for McCain) Amendment No. 2687, in the nature of a substitute. **Page 29050**

Modification of Certain Date: Senate passed S. 1892, to amend Public Law 107–153 to modify a certain date. **Page 29050**

Frist (for McCain) Amendment No. 2690, of a technical nature. **Page 29050**

USA PATRIOT Act Reauthorization Conference Report: Senate continued consideration of the conference report to accompany H.R. 3199, to extend and modify authorities needed to combat terrorism. **Pages 28797, 28806**

During consideration of this measure today, Senate also took the following action:

By 52 yeas to 47 nays (Vote No. 358), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the conference report. **Page 28818**

Senator Frist entered a motion to reconsider the vote by which the motion to invoke cloture on the conference report was not invoked. **Page 28818**

Terrorism Risk Insurance Extension Act: Senate concurred in the amendment of the House of Representatives to S. 467, to extend the applicability of the Terrorism Risk Insurance Act of 2002, with the following amendment proposed thereto: **Page 29037**

Frist (for Shelby) Amendment No. 2689, in the nature of a substitute. **Page 29039**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report of guidelines and requirements relative to implementation of the Information Sharing Environment called for by section 1016 of the Intelligence Reform and Terrorism Prevention Act of 2004; which was referred to the Select Committee on Intelligence. (PM–34) **Page 28881**

Nominations Received: Senate received the following nominations:

Norman Randy Smith, of Idaho, to be United States Circuit Judge for the Ninth Circuit.

Michael Ryan Barrett, of Ohio, to be United States District Judge for the Southern District of Ohio.

Reginald I. Lloyd, of South Carolina, to be United States Attorney for the District of South Carolina for the term of four years.

David M. Mason, of Virginia, to be a Member of the Federal Election Commission for a term expiring April 30, 2009.

Steven T. Walther, of Nevada, to be a Member of the Federal Election Commission for a term expiring April 30, 2009.

Hans von Spakovsky, of Georgia, to be a Member of the Federal Election Commission for a term expiring April 30, 2011.

Robert D. Lenhard, of Maryland, to be a Member of the Federal Election Commission for a term expiring April 30, 2011.

1 Air Force nomination in the rank of general. **Page 29052**

Messages From the House: **Page 28882**

Measures Placed on Calendar: **Page 28883**

Enrolled Bills Presented: **Page 28883**

Executive Communications: Page 28883

Executive Reports of Committees: Page 28887

Additional Cosponsors: Page 28888

Statements on Introduced Bills/Resolutions: Page 28889

Additional Statements: Page 28879

Amendments Submitted: Page 28961

Authorities for Committees to Meet: Page 29037

Privileges of the Floor: Page 29037

Record Votes: One record vote was taken today. (Total—358) Page 28818

Adjournment: Senate convened at 9:30 a.m., and adjourned at 8:42 p.m., until 4 p.m., on Saturday, December 17, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 29050.)

Committee Meetings

NAVAL FORCE STRUCTURE

Committee on Armed Services: Committee met in closed session to receive a briefing regarding future naval force structure requirements from Admiral Michael G. Mullen, USN, Chief of Naval Operations.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the nominations of Antonio Fratto, of Pennsylvania, to be Assistant Secretary of the Treasury for Public Affairs, David M. Spooner, of Virginia, to be Assistant Secretary of Commerce for Import Administration, David Steele Bohigian, of Missouri, to be an Assistant Secretary of Commerce, and Richard T. Crowder, of Virginia, to be Chief Agricultural Negotiator, Office of the United States Trade Representative, with the rank of Ambassador.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 47 public bills, H.R. 4567–4613; 4 private bills, H.R. 4614–4617; and 13 resolutions, H. Con. Res. 319–323; and H. Res. 622, 624, and 630, were introduced. Page 29229

Additional Cosponsors: Page 29231

Reports Filed: Reports were filed today as follows:

H. Res. 549, requesting the President of the United States provide to the House of Representatives all documents in his possession relating to his October 7, 2002, speech in Cincinnati, Ohio, and his January 28, 2003, State of the Union address, with an amendment (H. Rept. 109–351);

The Methamphetamine Epidemic: International Roots of the Problem, and Recommended Solutions (H. Rept. 109–352);

H.R. 3699, to provide for the sale, acquisition, conveyance, and exchange of certain real property in the District of Columbia to facilitate the utilization, development, and redevelopment of such property, with an amendment (H. Rept. 109–316, Pt. 2); and Report of the Joint Economic Committee on the 2005 Economic Report of the President (H. Rept. 109–353);

Conference report on S. 1281, to authorize appropriations for the National Aeronautics and Space Administration for science, aeronautics, exploration, exploration capabilities, and the Inspector General, for fiscal years 2006, 2007, 2008, 2009, and 2010 (H. Rept. 109–354); and

H. Res. 623, providing for consideration of motions to suspend the rules (H. Rept. 109–355). Pages 29092, 29195, 29228

Speaker: Read a letter from the Speaker wherein he appointed Representative Terry to act as Speaker pro tempore for today. Page 29053

Discharge Petitions: Representative Boswell moved to discharge the Committee on Rules from the consideration of H. Res. 584, providing for the consideration of H.R. 752, to amend title XVIII of the Social Security Act to deliver a meaningful benefit and lower prescription drug prices under the Medicare Program (Discharge Petition No. 9); and

Representative Herseth moved to discharge the Committee on Rules from the consideration of H. Res. 585, providing for the consideration of H.R. 3861, to amend title XVIII of the Social Security Act to provide extended and additional protection to Medicare beneficiaries who enroll for the Medicare prescription drug benefit during 2006 (Discharge Petition No. 10).

National Defense Authorization Act for Fiscal Year 2006: H.R. 1815, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year. Motion to go to conference was agreed to on December 15th.

Agreed to close portions of the conference when classified national security material is being discussed by a yea-and-nay vote of 409 yeas to 12 nays, Roll No. 642. Page 29071

The House agreed to the Skelton motion to instruct conferees by a yea-and-nay vote of 228 yeas to 187 nays, Roll No. 643, which was debated yesterday, December 15th. Page 29071

The Chair appointed as conferees: from the Committee on Armed Services, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Messrs. Hunter, Weldon of Pennsylvania, Hefley, Saxton, McHugh, Everett, Bartlett of Maryland, McKeon, Thornberry, Hostettler, Ryun of Kansas, Gibbons, Hayes, Calvert, Simmons, Mrs. Drake, Messrs. Skelton, Spratt, Ortiz, Evans, Taylor of Mississippi, Abercrombie, Meehan, Reyes, Snyder, Smith of Washington, Ms. Loretta Sanchez of California, and Mrs. Tauscher; **Page 29075**

From the Permanent Select Committee on Intelligence, for consideration of matters within the jurisdiction of that committee under clause 11 of rule X: Messrs. Hoekstra, LaHood, and Ms. Harman; **Page 29075**

From the Committee on Education and the Workforce, for consideration of secs. 561–563, 571, and 815 of the House bill, and secs. 581–584 of the Senate amendment, and modifications committed to conference: Messrs. Castle, Wilson of South Carolina, and Holt; **Page 29075**

From the Committee on Energy and Commerce, for consideration of secs. 314, 601, 1032, and 3201 of the House bill, and secs. 312, 1084, 2893, 3116, and 3201 of the Senate amendment, and modifications committed to conference: Messrs. Barton of Texas, Gillmor, and Dingell; **Page 29075**

From the Committee on Financial Services, for consideration of secs. 676 and 1073 of the Senate amendment, and modifications committed to conference: Messrs. Oxley, Ney, and Frank of Massachusetts; **Page 29075**

From the Committee on Government Reform, for consideration of secs. 322, 665, 811, 812, 820A, 822–825, 901, 1101–1106, 1108, Title XIV, secs. 2832, 2841, and 2852 of the House bill, and secs. 652, 679, 801, 802, 809E, 809F, 809G, 809H, 811, 824, 831, 843–845, 857, 922, 1073, 1106, and 1109 of the Senate amendment, and modifications committed to conference: Messrs. Tom Davis of Virginia, Shays, and Waxman; **Page 29075**

From the Committee on Homeland Security, for consideration of secs. 1032, 1033, and 1035 of the House bill, and sec. 907 of the Senate amendment, and modifications committed to conference: Messrs. Linder, Daniel E. Lungren of California, and Thompson of Mississippi; **Page 29075**

From the Committee on International Relations, for consideration of secs. 814, 1021, 1203–1206, and 1301–1305 of the House bill, and secs. 803, 1033, 1203, 1205–1207, and 1301–1306 of the Senate amendment, and modifications committed to conference: Messrs. Hyde, Leach, and Lantos; **Page 29075**

From the Committee on the Judiciary, for consideration of secs. 551, 673, 1021, 1043, and 1051 of the House bill, and secs. 553, 615, 617, 619, 1072, 1075, 1077, and 1092 of the Senate amendment, and modifications committed to conference: Messrs. Sensenbrenner, Chabot, and Conyers; **Page 29075**

From the Committee on Resources, for consideration of secs. 341–346, 601, and 2813 of the House bill, and secs. 1078, 2884, and 3116 of the Senate amendment, and modifications committed to conference: Messrs. Pombo, Brown of South Carolina, and Rahall; **Page 29075**

From the Committee on Science, for consideration of sec. 223 of the House bill and secs. 814 and 3115 of the Senate amendment, and modifications committed to conference: Messrs. Boehlert, Akin, and Gordon; **Page 29075**

From the Committee on Small Business, for consideration of sec. 223 of the House bill, and secs. 814, 849–852, 855, and 901 of the Senate amendment, and modifications committed to conference: Mr. Manzullo, Mrs. Kelly, and Ms. Velázquez; **Page 29075**

From the Committee on Transportation and Infrastructure, for consideration of secs. 314, 508, 601, and 1032–1034 of the House bill, and secs. 312, 2890, 2893, and 3116 of the Senate amendment, and modifications committed to conference: Messrs. Young of Alaska, Duncan, and Salazar; **Page 29075**

From the Committee on Veterans' Affairs, for consideration of secs. 641, 678, 714, and 1085 of the Senate amendment, and modifications committed to conference: Messrs. Buyer, Miller of Florida, and Ms. Berkley; and **Page 29075**

From the Committee on Ways and Means, for consideration of sec. 677 of the Senate amendment, and modifications committed to conference: Messrs. Thomas, Herger, and McDermott. **Page 29075**

Suspensions: The House agreed to suspend the rules and pass the following measures which were debated on Wednesday, December 14th:

Calling on the international community to condemn the Laogai, the system of forced labor prison camps in the People's Republic of China, as a tool for suppression maintained by the Chinese Government: H. Con. Res. 294, amended, to call on the international community to condemn the Laogai, the system of forced labor prison camps in the People's Republic of China, as a tool for suppression maintained by the Chinese Government, by a yea-and-nay vote of 413 yeas to 1 nay, Roll No. 647; **Page 29074**

Condemning the Government of Zimbabwe's "Operation Murambatsvina" under which homes, businesses, religious structures, and other buildings and facilities were demolished in an effort characterized by the Government of Zimbabwe as an operation to "restore order" to the country: H. Res. 409, amended, condemning the Government of Zimbabwe's "Operation Murambatsvina" under which homes, businesses, religious structures, and other buildings and facilities were demolished in an effort characterized by the Government of Zimbabwe as an operation to "restore order" to the country, by a yea-and-nay vote of 421 yeas to 1 nay, Roll No. 649; **Page 29092**

Providing that Hamas and other terrorist organizations should not participate in elections held by the Palestinian Authority: H. Res. 575, amended, providing that Hamas and other terrorist organizations should not participate in elections held by the Palestinian Authority, by a yea-and-nay vote of 397 yeas to 17 nays, Roll No. 650; **Page 29093**

Agreed to amend the title so as to read "Asserting that Hamas and other terrorist organizations should not participate in elections held by the Palestinian Authority, and for other purposes.". **Page 29093**

Recognizing the importance and credibility of an independent Iraqi judiciary in the formation of a new and democratic Iraq: H. Res. 534, amended, to recognize the importance and credibility of an independent Iraqi judiciary in the formation of a new and democratic Iraq, by a yea-and-nay vote of 408 yeas to 1 nay, Roll No. 651; and **Page 29093**

Agreed to amend the title so as to read "Recognizing the importance of an independent Iraqi judiciary in the formation of a new and democratic Iraq.". **Page 29094**

Condemning actions by the Government of Syria that have hindered the investigation of the assassination of former Prime Minister of Lebanon Rafik Hariri conducted by the United Nations International Independent Investigation Commission (UNIIIC), expressing support for extending the UNIIIC's investigative mandate, and stating concern about similar assassination attempts apparently aimed at destabilizing Lebanon's security and undermining Lebanon's sovereignty: H. Res. 598, amended, to condemn actions by the Government of Syria that have hindered the investigation of the assassination of former Prime Minister of Lebanon Rafik Hariri conducted by the United Nations International Independent Investigation Commission (UNIIIC), expressing support for extending the UNIIIC's investigative mandate, and stating concern about similar assassination attempts apparently aimed at destabilizing Lebanon's security and undermining Lebanon's sovereignty, by a yea-and-nay vote of 404 yeas to 5 nays with 1 voting "present", Roll No. 662. **Page 29195**

Expressing the commitment of the House of Representatives to achieving victory in Iraq: The House agreed to H. Res. 612, to express the commitment of the House of Representatives to achieving victory in Iraq by a yea-and-nay vote of 279 yeas to 109 nays with 34 voting "present", Roll No. 648. **Page 29075**

H. Res. 619, the rule providing for consideration of the resolution was agreed to by a recorded vote of 217 ayes to 202 noes, Roll No. 645, after agreeing to order the previous question by a yea-and-nay vote of 221 yeas to 200 nays, Roll No. 644. **Pages 29054, 29072**

Gulf Opportunity Zone Act of 2005: The House passed by unanimous consent H.R. 4440, amended in the Senate, to amend the Internal Revenue Code of 1986 to provide tax benefits for the Gulf Opportunity Zone and certain areas affected by Hurricanes Rita and Wilma. **Page 29094**

Border Protection, Antiterrorism, and Illegal Immigration Control Act of 2005: The House passed H.R. 4437, to amend the Immigration and Nationality Act to strengthen enforcement of the immigration laws, to enhance border security, in which consideration began yesterday, December 15th, by a recorded vote of 239 ayes to 182 noes, Roll No. 661. **Pages 29112, 29141**

Rejected the Reyes motion to recommit the bill to the Committee on Homeland Security with instructions to report the same back to the House forthwith with amendments, by a recorded vote of 198 ayes to 221 noes, Roll No. 660. **Page 29175**

Agreed to:

Filner amendment (No. 2 printed in H. Rept. 109–350) makes technical changes to the current statute governing the distribution of fraudulent documents. The statute does not mention "distribution" of illegal documents, which applies to the re-sale or sale of fraudulent documents. By adding distribution to the criminal code those convicted of distributing illegal documents will be held to the same penalties as those who create, alter, or falsify any immigration related document; **Page 29114**

Sensenbrenner amendment (No. 4 printed in H. Rept. 109–350) that prohibits localities from requiring businesses to set up day labor sites as a condition for conducting or expanding a business. Requires the Attorney General to report on the status of criminal alien prosecutions, including prosecutions of smugglers. Authorizes ICE's current Forensic Document Laboratory. At the Administration's request: Sets mandatory minimums for repeated marriage fraud. Removes reference to aggravated felonies and substitutes language referring to length of sentence, for sentencing enhancements for aliens who enter illegally after convictions. Makes various technical and conforming changes; **Page 29116**

Price of Georgia amendment (No. 5 printed in H. Rept. 109–350) which establishes a hard deadline to achieve operational control over the entire international land and maritime borders of the United States. Operational control entails the prevention of all unlawful entries into the United States; **Page 29122**

Velázquez amendment (No. 8 printed in H. Rept. 109–350) which requires the U.S. Citizenship and Immigration Services (USCIS) to reduce the immigration application processing backlog to 6 months within a period of 1 year. Authorizes the Director of USCIS to implement innovative pilot initiatives to eliminate the backlog and prevent further backlog from recurring. Encourages initiatives such as increasing or transferring personnel to areas with the greatest backlog, streamlining regulations and paperwork filing processes, upgrading information technology, and increasing the number of immigration service centers; **Page 29126**

Goodlatte amendment (No. 1 printed in H. Rept. 109–350) that eliminates the visa lottery program (by a recorded vote of 273 ayes to 148 noes, Roll No. 653); **Pages 29113, 29141**

Stearns amendment No. 6 printed in H. Rept. 109–350) that prohibits Department of Homeland Security, the U.S. Attorney General, and all courts from granting any kind of legal immigration status (i.e. "benefits") to an alien until the relevant databases of criminal records and terrorist watch lists are checked (by a recorded vote of 420 ayes with none voting "nay," Roll No. 654); **Pages 29123, 29142**

Norwood amendment (No. 9 printed in H. Rept. 109–350) that reaffirms state and local law enforcement's existing inherent authority to assist in the enforcement of immigration law, provide training on this issue at no cost to the local agency, increase law enforcement's access to vital information on illegal criminal aliens, and provide increased and additional resources (SCAAP grants, Institutional Removal Program, and a new grant program) to help assist in the enforcement of immigration laws (by a recorded vote of 237 ayes to 180 noes, Roll No. 656); **Pages 29127, 29143**

Myrick amendment (No. 12 printed in H. Rept. 109–350) modified, that amends section 606 of the bill to require the removal of an unauthorized alien on the first conviction of drunk driving. Authorizes State and local law enforcement officers to detain and transport unauthorized alien drunk drivers and be reimbursed by the Department of Homeland Security. Information on unauthorized alien drunk drivers shall be reported to the Department of Homeland Security, the National Criminal Information Center and the Drivers License Agreement of the American Association of Motor Vehicle Administrators; **Page 29144**

Shadegg amendment (No. 13 printed in H. Rept. 109–350) that increases penalties for document fraud and for crimes of violence and drug trafficking offenses committed by illegal aliens; **Page 29146**

Shadegg amendment (No. 14 printed in H. Rept. 109–350) that adds human trafficking and human smuggling to the list of predicate acts under the federal money laundering statute; **Page 29148**

Bradley amendment (No. 17 printed in H. Rept. 109–350) that requires the Department of Homeland Security to provide a report both one and two years after implementation of the Employment Eligibility Verification System to Congress. Reports would contain information relating to problems reported by businesses during implementation as well as progress made up to the report's date. Report would contain information relating to the most efficient use of the system by small businesses; **Page 29153**

Ryun amendment (No. 19 printed in H. Rept. 109–350) that establishes the Oath of Renunciation and Allegiance as Federal law so that it cannot be changed without an act of Congress. Also requires the Secretary of Homeland Security, in cooperation with the Secretary of State, to notify a foreign embassy of which a new citizen was a citizen or subject that the citizen has: (1) renounced allegiance to that foreign country; and (2) sworn allegiance to the United States; **Page 29156**

Royce amendment (No. 20 printed in H. Rept. 109–350) which states that no immigration benefit may be granted until, at a minimum, an FBI fingerprint check has been submitted and the results show that the alien does not have a criminal or immigration history that would render him or her ineligible for the benefit have been to U.S. Citizenship and Immigration Services; **Page 29158**

Westmoreland amendment (No. 15 printed in H. Rept. 109–350) that sets caps on the monetary penalties set forth in Title VII of the bill for hiring or employing unauthorized aliens of $7,500 for first time offenses, $15,000 for second offenses, and $40,000 for all subsequent offenses; Provides an exemption from penalty for initial good faith violations; and provides a safe harbor for contractors if their subcontractor employees an unauthorized alien (provided the contractor did not know the employee was an unauthorized alien) (by a recorded vote of 247 ayes to 170 noes, Roll No. 657); **Pages 29149, 29161**

Rejected:

Sensenbrenner amendment (No. 7 printed in H. Rept. 109–350) which sought to, at the Administration's request, reduce the maximum sentence for illegal entry and illegal presence to six months (by a recorded vote of 164 ayes to 257 noes, Roll No. 655); **Pages 29124, 29143**

Gonzalez amendment (No. 16 printed in H. Rept. 109–350) that sought to increase the fines on businesses for knowingly hiring unauthorized aliens to $50,000. Proceeds would be shared with state and local government and are restricted for use to help cover the costs associated with providing services to undocumented immigrants (by a recorded vote of 87 ayes to 332 noes, Roll No. 658); and **Pages 29151, 29162**

Sullivan amendment (No. 18 printed in H. Rept. 109–350) that sought to require all non-citizens who enter or exit the country to be processed through the automated entry-exit control system Congress mandated in 1996 (by a recorded vote of 163 ayes to 251 noes with 1 voting "present", Roll No. 659). **Pages 29154, 29162**

Withdrawn:

Hayworth amendment (No. 3 printed in H. Rept. 109–350) that was offered and subsequently withdrawn, which sought to increase the number of employment-based visas available through a reduction in other non-employment-based immigration categories; and **Page 29115**

Tancredo amendment (No. 10 printed in H. Rept. 109–350) that was offered and subsequently withdrawn, which sought to prohibit the Attorney General from allocating funds under the State Criminal Alien Assistance

Program to any state or local government which maintains a "sanctuary policy" in violation of federal law (8 U.S.C. 1373). Also requires the Attorney General to report annually to Congress on which state and local governments maintain "sanctuary policies". **Page 29130**

Agreed by unanimous consent that staff be authorized to make technical and conforming corrections to the text of H.R. 4377, as passed by the House. **Page 29194**

H. Res. 621, the rule providing for consideration of the bill, was agreed to by a yea-and-nay vote of 216 yeas to 203 nays, Roll No. 646. **Pages 29063, 29073**

Deficit Reduction Act of 2005—Motion to go to Conference: The House insisted on its amendment and agreed to a conference on S. 1932, to provide for reconciliation pursuant to section 202(a) of the concurrent resolution on the budget for fiscal year 2006 (H. Con. Res. 95). **Page 29132**

The House agreed to the Spratt motion to instruct conferees by a yea-and-nay vote of 246 yeas to 175 nays, Roll No. 652. **Page 29132**

The Chair appointed conferees for consideration of the Senate bill, and the House amendment thereto, and modifications committed to conference: Messrs. Nussle, Ryun of Kansas, Crenshaw, Putnam, Wicker, Hulshof, Ryan of Wisconsin, Blunt, DeLay, Spratt, Moore of Kansas, Neal of Massachusetts, Ms. DeLauro, Messrs. Edwards, and Ford; **Page 29141**

From the Committee on Agriculture, for consideration of title I of the Senate bill and title I of the House amendment, and modifications committed to conference: Messrs. Goodlatte, Peterson of Minnesota, and Lucas; **Page 29141**

From the Committee on Education and the Workforce, for consideration of title VII of the Senate bill and title II and subtitle C of title III of the House amendment, and modifications committed to conference: Messrs. Boehner, George Miller of California, and McKeon; **Page 29141**

From the Committee on Energy and Commerce, for consideration of title III and title VI of the Senate bill and title III of the House amendment, and modifications committed to conference: Messrs. Upton, Dingell, and Deal of Georgia; **Page 29141**

From the Committee on Financial Services, for consideration of title II of the Senate bill and title IV of the House amendment, and modifications committed to conference: Messrs. Oxley, Frank of Massachusetts, and Bachus; **Page 29141**

Provided that Mr. Ney is appointed in lieu of Mr. Bachus for consideration of subtitles C and D of title II of the Senate bill and subtitle B of title IV of the House amendment; **Page 29141**

From the Committee on the Judiciary, for consideration of title VIII of the Senate bill and title V of the House amendment, and modifications committed to conference: Messrs. Sensenbrenner, Conyers, and Smith of Texas; **Page 29141**

From the Committee on Resources, for consideration of title IV of the Senate bill and title VI of the House amendment, and modifications committed to conference: Messrs. Pombo, Rahall, and Gibbons; **Page 29141**

From the Committee on Transportation and Infrastructure, for consideration of title V and Division A of the Senate bill and title VII of the House amendment, and modifications committed to conference: Messrs. Young of Alaska, Oberstar, and LoBiondo; and **Page 29141**

From the Committee on Ways and Means, for consideration of sections 6039, 6071, and subtitle B of title VI of the Senate bill and title VIII of the House amendment, and modifications committed to conference: Messrs. Thomas, Rangel, and Herger. **Page 29141**

Presidential Message: Read a message from the President whereby he notified Congress of the issuance of a set of guidelines and requirements that significantly aid in the establishment of the Information Sharing Environment (ISE)—referred to the Permanent Select Committee on Intelligence and ordered printed (H. Doc. 109–76). **Page 29212**

Reassignment of Conferee: The Chair announced the removal of Mr. Upton as a conferee on S. 1932, and appoints Mr. Barton of Texas to fill the vacancy. **Page 29212**

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at 2 p.m. on Saturday, December 17th. **Page 29195**

Senate Message: Messages received from the Senate today appear on pages 29092 and 29217.

Senate Referrals: S. 2116 was referred to the Committee on Transportation and Infrastructure and S. 2120 was referred to the Committee on Agriculture. **Page 29223**

Quorum Calls—Votes: Eleven yea-and-nay votes and ten recorded vote developed during the proceedings of today and appear on pages 29071–75, 29091–94, 29140–44, 29161–63, and 29193–95. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 12 midnight.

Committee Meetings

BRIEFING—CHANGES ALLOWING AIRLINE PASSENGERS TO BOARD AIRCRAFT WITH SCISSORS, PLIERS AND WRENCHES

Committee on Homeland Security: Subcommittee on Economic Security, Infrastructure Protection, and Cybersecurity met in executive session to receive a briefing on announced changes to the prohibited items list that would allow airline passengers to board an aircraft with scissors, pliers and wrenches. The Subcommittee was briefed by a departmental witness.

BORDER SURVEILLANCE SYSTEM MISMANAGEMENT

Committee on Homeland Security: Subcommittee on Management, Integration, and Oversight held a hearing entitled "Mismanagement of the Border Surveillance System and Lessons for the New Secure Border Initiative". Testimony was heard from Richard L. Skinner, Inspector General, Department of Homeland Security.

PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Committee on Rules: Granted, by voice vote, a rule providing that certain specified measures may be considered under suspension of the rules at any time on the legislative day of Saturday, December 17, 2005.

Joint Meetings

NATIONAL DEFENSE AUTHORIZATION

Conferees met to resolve the differences between the Senate and House passed versions of H.R. 1815, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year.

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Saturday, December 17, 2005

Senate

Chamber Action

Routine Proceedings, pages 29234–57

Measures Introduced: One bill was introduced, as follows: S. 2141. **Page 29252**

Measures Passed:

Continuing Resolution: Senate passed H.J. Res. 75, making further continuing appropriations for the fiscal year 2006, clearing the measure for the President. **Page 29252**

Federal Deposit Insurance Act Improvement: Senate passed S. 2141, to make improvements to the Federal Deposit Insurance Act. **Page 29254**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that during this adjournment of the Senate, the Majority Leader be authorized to sign duly enrolled bills or joint resolutions. **Page 29252**

Nominations Confirmed: Senate confirmed the following nominations:

Mark V. Rosenker, of Maryland, to be a Member of the National Transportation Safety Board for a term expiring December 31, 2010.

Catherine Lucille Hanaway, of Missouri, to be United States Attorney for the Eastern District of Missouri for the term of four years.

Mary M. Rose, of North Carolina, to be a Member of the Merit Systems Protection Board for the term of seven years expiring March 1, 2011.

Stephanie Johnson Monroe, of Virginia, to be Assistant Secretary for Civil Rights, Department of Education.

Susan P. Bodine, of Maryland, to be Assistant Administrator, Office of Solid Waste, Environmental Protection Agency.

John O. Agwunobi, of Florida, to be an Assistant Secretary of Health and Human Services.

Bruce Cole, of Indiana, to be Chairperson of the National Endowment for the Humanities for a term of four years.

William E. Kovacic, of Virginia, to be a Federal Trade Commissioner for a term of seven years from September 26, 2004.

Kathryn Higgins, of South Dakota, to be a Member of the National Transportation Safety Board for a term expiring December 31, 2009.

Jeffrey D. Jarrett, of Pennsylvania, to be an Assistant Secretary of Energy (Fossil Energy).

Santanu K. Baruah, of Oregon, to be Assistant Secretary of Commerce for Economic Development.

Dale W. Meyerrose, of Indiana, to be Chief Information Officer, Office of the Director of National Intelligence.

Donald A. Gambatesa, of Virginia, to be Inspector General, United States Agency for International Development.

John O. Agwunobi, of Florida, to be Medical Director in the Regular Corps of the Public Health Service, subject to the qualifications therefore as provided by law and regulations.

J. Thomas Rosch, of California, to be a Federal Trade Commissioner for the term of seven years from September 26, 2005.

David Steele Bohigian, of Missouri, to be an Assistant Secretary of Commerce.

Antonio Fratto, of Pennsylvania, to be an Assistant Secretary of the Treasury.

George W. Foresman, of Virginia, to be Under Secretary for Preparedness, Department of Homeland Security.

Marilyn Ware, of Pennsylvania, to be Ambassador to Finland.

David M. Spooner, of Virginia, to be an Assistant Secretary of Commerce.

Richard T. Crowder, of Virginia, to be Chief Agricultural Negotiator, Office of the United States Trade Representative, with the rank of Ambassador.

1 Coast Guard nomination in the rank of admiral.

Routine lists in the Coast Guard. (Prior to this action, Committee on Commerce, Science, and Transportation was discharged from further consideration.) **Pages 29252, 29256**

Messages From the House: **Page 29251**

Executive Communications: **Page 29251**

Additional Cosponsors: **Page 29252**

Additional Statement: **Page 29250**

Adjournment: Senate convened at 4 p.m., and adjourned at 7:55 p.m., until 6 p.m., on Sunday, December 18, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 29256.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 17 public bills, H.R. 4618–4634; and 4 resolutions, H.J. Res. 75; H. Con. Res. 325; and H. Res. 633–634 were introduced. **Page 29380**

Additional Cosponsors: **Page 29382**

Reports Filed: Reports were filed today as follows:

H.R. 3505, to provide regulatory relief and improve productivity for insured depository institutions, with an amendment (H. Rept. 109–356);

H. Res. 631, providing for consideration of motions to suspend the rules (H. Rept. 109–357);

H. Res. 632, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 109–358); and

H.R. 3505, to provide regulatory relief and improve productivity for insured depository institutions, and for other purposes, with an amendment (H. Rept. 109–356, Pt. 1). **Pages 29358, 29380**

Rule for consideration of suspensions: The House agreed to H. Res. 623, providing for consideration of motions to suspend the rules, by a yea and nay vote of 213 yeas to 190 nays, Roll No. 663, after agreeing to the Session amendment by voice vote and the previous question. **Page 29261**

Suspensions: The House agreed to suspend the rules and pass the following measures:

To improve proficiency testing of clinical laboratories: H.R. 4568, to improve proficiency testing of clinical laboratories; **Page 29264**

Stem Cell Therapeutic and Research Act of 2005: H.R. 2520, with a Senate amendment, to provide for the collection and maintenance of human cord blood stem cells for the treatment of patients and research, and to amend the Public Health Service Act to authorize the C.W. Bill Young Cell Transplantation Program, by a yea-and-nay vote of 413 yeas none voting "nay", Roll No. 664—clearing the measure for the President; **Pages 29268, 29355**

State High Risk Pool Funding Extension Act of 2005: H.R. 4519, to amend the Public Health Service Act to extend funding for the operation of State high risk health insurance pools; **Page 29277**

Department of Justice Appropriations Authorization Act, Fiscal Years 2006 through 2009: H.R. 3402, with a Senate amendment, to authorize appropriations for the Department of Justice for fiscal years 2006 through 2009—clearing the measure for the President; **Page 29280**

To amend title I of the Employee Retirement Income Security Act of 1974, title XXVII of the Public Health Service Act, and the Internal Revenue Code of 1986 to extend by one year provisions requiring parity in the application of certain limits to mental health benefits: H.R. 4579, to amend title I of the Employee Retirement Income Security Act of 1974, title XXVII of the Public Health Service Act, and the Internal Revenue Code of 1986 to extend by one year provisions requiring parity in the application of certain limits to mental health benefits; **Page 29337**

Second Higher Education Extension Act of 2005: H.R. 4525, amended, to temporarily extend the programs under the Higher Education Act of 1965; **Page 29340**

National Aeronautics and Space Administration Authorization Act of 2005—Conference Report: Conference report on S. 1281, amended, to authorize appropriations for the National Aeronautics and Space Administration for science, aeronautics, exploration, exploration capabilities, and the Inspector General, for fiscal years 2006, 2007, 2008, 2009, and 2010; **Page 29341**

Agreed to H. Con. Res. 324, directing the Secretary of the Senate to make technical correction in the enrollment of the bill. **Page 29348**

Terrorism Risk Insurance Revision Act of 2005: S. 467, with a Senate amendment to the House amendment, to extend the applicability of the Terrorism Risk Insurance Act of 2002; and **Page 29348**

Making further continuing appropriations for the fiscal year 2006: H.J. Res. 75, amended, to make further continuing appropriations for the fiscal year 2006. **Page 29354**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 1 p.m. tomorrow.
Page 29356

Board of Visitors to the United States Naval Academy—Appointment: The Chair announced the Speaker's appointment of Representatives Hoyer and Cummings, both of Maryland, to the Board of Visitors to the United States Naval Academy. **Page 29357**

United States-China Review Commission: Read a letter from the Minority Leader wherein she announced her reappointment of Ms. Carolyn Bartholomew of the District of Columbia and Mr. George Becker of Pittsburgh, to the United States-China Review Commission.
Page 29357

Senate Message: Message received from the Senate today appears on pages 29258 and 29362.

Senate Referrals: S. 959 was referred to the Committee on Government Reform; S. 1312 was referred to the Committees on Resources and the Judiciary; and S. 1869, S. 1165, S. 1496, S. 1552, S. 1096, S. 1025, S. 648 and S. 435 were referred to the Committee on Resources. S. 2141, S. 863, S. 1310, S. 1892, S. 1578 and S. 310 were held at the desk. **Page 29378**

Quorum Calls—Votes: Two yea and nay votes developed during the proceedings of today and appear on pages 29263 and 29355. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 10:55 p.m.

Committee Meetings

PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Committee on Rules: Granted, by voice vote, a rule providing that it shall be in order at any time on the legislative day of Sunday, December 18, 2005, for the Speaker to entertain motions that the House suspend the rules relating to the following measures:

(1) The bill (H.R. 1185) to reform the Federal deposit insurance system, and for other purposes.

(2) A bill to reauthorize the Temporary Assistance for Needy Families block grant program through March 31, 2006, and for other purposes.

(3) The resolution (H. Res. 545) expressing the sense of the House of Representatives on the arrest of Sanjar Umarov in Uzbekistan.

(4) The concurrent resolution (H. Con. Res. 284) expressing the sense of Congress with respect to the 2005 presidential and parliamentary elections in Egypt.

(5) The bill (H.R. 4501) to amend the Passport Act of June 4, 1920, to authorize the Secretary of State to establish and collect a surcharge to cover the costs of meeting the increased demand for passports as a result of actions taken to comply with section 7209(b) of the Intelligence Reform and Terrorism Prevention Act of 2004.

(6) The bill (S. 1988) to authorize the transfer of items in the War Reserves Stockpile for Allies, Korea.

(7) The bill (H.R. 2329) to permit eligibility in certain circumstances for an officer or employee of a foreign government to receive a reward under the Department of State Rewards Program.

(8) A resolution honoring Helen Sewell on the occasion of her retirement from the House of Representatives and expressing the gratitude of the House for her many years of service.

No testimony was heard.

WAIVING CLAUSE 6(a) OF RULE XIII WITH RESPECT TO THE SAME DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE RULES COMMITTEE

Committee on Rules: Granted, by voice vote, a rule providing that the requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported on the legislative day of Sunday, December 18, 2005. No testimony was heard.

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Sunday, December 18, 2005

Senate

Chamber Action

Routine Proceedings, pages 29421–23

Messages From the House: **Page 29422**

Additional Cosponsors: **Page 29423**

Adjournment: Senate convened at 6 p.m., and adjourned at 8:37 p.m., until 9:30 a.m., on Monday, December 19, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 29422.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 12 public bills, H.R. 4635–4646; and 9 resolutions, H. Con. Res. 326–328, and H. Res. 635–638, 641–642, were introduced. **Page 30440**

Additional Cosponsors: **Page 30441**

Reports Filed: Reports were filed today as follows:

Conference report on H.R. 2863, making appropriations for the Department of Defense for the fiscal year ending September 30, 2006 (H. Rept. 109–359);

Conference report on H.R. 1815, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2006 (H. Rept. 109–360);

H. Res. 639, waiving points of order against the conference report to accompany the bill (H.R. 2863) making appropriations for the Department of Defense for the fiscal year ending September 30, 2006 (H. Rept. 109–361);

Conference report on S. 1932, to provide for reconciliation pursuant to section 202(a) of the concurrent resolution on the budget for fiscal year 2006 (H. Con. Res. 95) (H. Rept. 109–362); and

H. Res. 640, waiving points of order against the conference report to accompany the bill (S. 1932) to provide for reconciliation pursuant to section 201(a) of the concurrent resolution on the budget for fiscal year 2006 (H. Rept. 109–363). **Pages 29449, 29798, 30269, 30440**

Rule for consideration of suspensions: The House agreed to H. Res. 631, providing for consideration of motions to suspend the rules by voice vote, after agreeing to the Sessions amendment by voice vote and the previous question. **Page 29425**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Expressing the sense of the House of Representatives on the arrest of Sanjar Umarov in Uzbekistan: H. Res. 545, to express the sense of the House of Representatives on the arrest of Sanjar Umarov in Uzbekistan; **Page 29431**

Expressing the sense of Congress with respect to the 2005 presidential and parliamentary elections in Egypt: H. Con. Res. 284, amended, to express the sense of Congress with respect to the 2005 presidential and parliamentary elections in Egypt, by a yea-and-nay vote of 388 yeas to 22 nays, Roll No. 667; **Pages 29432, 30388**

Passport Services Enhancement Act of 2005: H.R. 4501, amended, to amend the Passport Act of June 4, 1920, to authorize the Secretary of State to establish and collect a surcharge to cover the costs of meeting the increased demand for passports as a result of actions taken to comply with section 7209(b) of the Intelligence Reform and Terrorism Prevention Act of 2004; **Page 29434**

Authorizing the transfer of items in the War Reserves Stockpile for Allies, Korea: S. 1988, to authorize the transfer of items in the War Reserves Stockpile for Allies, Korea—clearing the measure for the President; **Page 29435**

Terrorist Rewards Enhancement Act: H.R. 2329, to permit eligibility in certain circumstances for an officer or employee of a foreign government to receive a reward under the Department of State Rewards Program; **Page 29436**

Expressing support for the memorandum of understanding signed by the Government of the Republic of Indonesia and the Free Aceh Movement on August 15, 2005, to end the conflict in Aceh, a province in Sumatra, Indonesia: H. Res. 456, to express support for the memorandum of understanding signed by the Government of the Republic of Indonesia and the Free Aceh Movement on August 15, 2005, to end the conflict in Aceh, a province in Sumatra, Indonesia; **Page 29437**

Expressing the sense of Congress regarding the education curriculum in the Kingdom of Saudi Arabia: H. Con. Res. 275, to express the sense of Congress regarding the education curriculum in the Kingdom of Saudi Arabia; by a yea-and-nay vote of 351 yeas to 1 nay, with 2 voting "present", Roll No. 671; **Pages 29439, 30427**

Native American Housing Enhancement Act of 2005: H.R. 797, with a Senate amendment, to amend the Native American Housing Assistance and Self-Determination Act of 1996 and other Acts to improve housing programs for Indians; **Page 29440**

Little Rock Central High School Desegregation 50th Anniversary Commemorative Coin Act: H.R. 358, with a Senate amendment, to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the desegregation of the Little Rock Central High School in Little Rock, Arkansas; and **Page 29442**

Honoring Helen Sewell on the occasion of her retirement from the House of Representatives and expressing the gratitude of the House for her many years of service: H. Res. 633, to honoring Helen Sewell on the occasion of her retirement from the House of Representatives and expressing the gratitude of the House for her many years of service, by voice vote, after agreeing by unanimous consent that the House vacate the ordering of the yeas and nays on adoption of the House Resolution to the end that the Chair may put the question on the resolution de novo. **Pages 29445, 30418**

Recess: The House recessed at 4:10 p.m. and reconvened at 11:53 p.m. **Page 29449**

National Defense Authorization Act for Fiscal Year 2006—Conference Report: The House began consideration of the conference report on H.R. 1815, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, by a yea-and-nay vote of 374 yeas to 41 nays, Roll No. 665. **Pages 30242, 30387**

Agreed by unanimous consent that the House vacate the ordering of the yeas and nays on adoption of House

Resolution 632 to the end that the Chair may put the question on the resolution de novo. **Page 30242**

Agreed to H. Res. 632, waiving a requirement of clause 6(a) of Rule XIII with respect to the same day consideration of certain resolutions reported by the Rules Committee, by voice vote. **Page 29429**

Agreed by unanimous consent that it be in order at any time to consider a conference report to accompany H.R. 1815; that all points of order against the conference report and against its consideration be waived; that the conference report be considered as read. **Page 30242**

Designating the facility of the United States Postal Service located at 332 South Main Street in Flora, Illinois, as the "Robert T. Ferguson Post Office Building": The House agreed by unanimous consent to H.R. 1287, amended, to designate the facility of the United States Postal Service located at 332 South Main Street in Flora, Illinois, as the "Robert T. Ferguson Post Office Building". **Page 30257**

Agreed to amend the title so as to read "To designate the facility of the United States Postal Service located at 312 East North Avenue in Flora, Illinois, as the "Robert T, Ferguson Post Office Building".". **Page 30257**

Designating the facility of the United States Postal Service located at 8135 Forest Lane in Dallas, Texas, as the "Dr. Robert E. Price Post Office Building": The House agreed by unanimous consent to H.R 4246, to designate the facility of the United States Postal Service located at 8135 Forest Lane in Dallas, Texas, as the "Dr. Robert E. Price Post Office Building". **Page 30257**

Designating the facility of the United States Postal Service located at 3000 Homewood Avenue in Baltimore, Maryland, as the "State Senator Verda Welcome and Dr. Henry Welcome Post Office Building": The House agreed by unanimous consent to H.R. 4108, to designate the facility of the United States Postal Service located at 3000 Homewood Avenue in Baltimore, Maryland, as the "State Senator Verda Welcome and Dr. Henry Welcome Post Office Building". **Page 30257**

Designating the facility of the United States Postal Service located at 6101 Liberty Road in Baltimore, Maryland, as the "United States Representative Parren J. Mitchell Post Office": The House agreed by unanimous consent to H.R. 4109, to designate the facility of the United States Postal Service located at 6101 Liberty Road in Baltimore, Maryland, as the "United States Representative Parren J. Mitchell Post Office". **Page 30257**

Designating the facility of the United States Postal Service located at 4422 West Sciota Street in Scio, New York, as the "Corporal Jason L. Dunham Post Office": The House agreed by unanimous consent to H.R. 4515, to designate the facility of the United States Postal Service located at 4422 West Sciota Street in Scio, New York, as the "Corporal Jason L. Dunham Post Office". **Page 30257**

Supporting the goals and ideals of National Teen Dating Violence Awareness and Prevention Week: The House agreed by unanimous consent to H. Res. 483, amended, to support the goals and ideals of National Teen Dating Violence Awareness and Prevention Week, after agreeing to the Issa amendment. **Page 30258**

Agreed to amend the title so as to read "Supporting the ideals of National Teen Dating Violence and Prevention Week.". **Page 30258**

Commemorating the life, achievements, and contributions of Alan Reich: The House agreed by unanimous consent to H. Res. 586, amended, to commemorate the life, achievements, and contributions of Alan Reich, after agreeing to the Issa amendment. **Page 30258**

Buffalo Soldiers Commemoration Act of 2005: The House agreed by unanimous consent to S. 205, to authorize the American Battle Monuments Commission to establish in the State of Louisiana a memorial to honor the Buffalo Soldiers—clearing the measure for the President. **Page 30259**

Benjamin Franklin National Memorial Commemoration Act of 2005: The House agreed by unanimous consent to S. 652, to provide financial assistance for the rehabilitation of the Benjamin Franklin National Memorial in Philadelphia, Pennsylvania, and the development of an exhibit to commemorate the 300th anniversary of the birth of Benjamin Franklin—clearing the measure for the President. **Page 30260**

Delaware Water Gap National Recreation Area Natural Gas Pipeline Enlargement Act: The House agreed by unanimous consent to S. 1310, to authorize the Secretary of the Interior to allow the Columbia Gas Transmission Corporation to increase the diameter of a natural gas pipeline located in the Delaware Water Gap National Recreation Area, to allow certain commercial vehicles to continue to use Route 209 within the Delaware Water Gap National Recreation Area, and to extend the termination date of the National Park System Advisory Board to January 1, 2007—clearing the measure for the President. **Page 30260**

Public Lands Corps Healthy Forests Restoration Act of 2005: The House agreed by unanimous consent to S. 1238, to amend the Public Lands Corps Act of 1993 to provide for the conduct of projects that protect forests—clearing the measure for the President. **Page 30261**

Indian Land Probate Reform Technical Corrections Act of 2005: The House agreed by unanimous consent to S. 1481, to amend the Indian Land Consolidation Act to provide for probate reform—clearing the measure for the President. **Page 30262**

Amending Public Law 107–153 to modify a certain date: The House agreed by unanimous consent to S. 1892, to amend Public Law 107–153 to modify a certain date—clearing the measure for the President. **Page 30263**

Spent Nuclear Fuel On-Site Storage Security Act of 2005: The House agreed by unanimous consent to H.R. 2099, to amend the Nuclear Waste Policy Act of 1982 to require commercial nuclear utilities to transfer spent nuclear fuel from spent nuclear fuel pools into spent nuclear fuel dry casks and convey to the Secretary of Energy title to all spent nuclear fuel thus safely stored. **Page 30263**

Department of Defense Appropriations Act, 2006—Conference Report: The House agreed to the conference report on H.R. 2863, to make appropriations for the Department of Defense for the fiscal year ending September 30, 2006, by a yea-and-nay vote of 308 yeas to 106 nays with 2 voting "present", Roll No. 669. **Page 30389**

Rejected the Obey motion to recommit the conference report to the conference committee with instructions to the managers on the part of the House not to include Chapter 8 of Title III of Division B, by a recorded vote of 183 ayes to 231 noes, Roll No. 660. **Page 30416**

Agreed to H. Res. 639, providing for consideration of the conference report, by a yea-and-nay vote of 214 yeas to 201 nays, Roll No. 666, after agreeing to order the previous question. **Pages 30370, 30387**

Deficit Reduction Act of 2005—Conference Report: The House agreed to the conference report on S. 1932, to provide for reconciliation pursuant to section 202(a) of the concurrent resolution on the budget for fiscal year 2006 (H. Con. Res. 95), by a yea-and-nay vote of 212 yeas to 206 nays, Roll No. 670, after ordering the previous question. **Page 30418**

H. Res. 640, the rule providing for consideration of the conference report, was agreed to by voice vote. **Page 30378**

Junior Duck Stamp Reauthorization Amendments Act of 2005: The House agreed by unanimous consent to H.R. 3179, to reauthorize and amend the Junior Duck Stamp Conservation and Design Program Act of 1994. **Page 30428**

Authorizing the Secretary of the Interior to revise certain repayment contracts with the Bostwick Irrigation District in Nebraska, the Kansas Bostwick Irrigation District No. 2, the Frenchman-Cambridge Irrigation District, and the Webster Irrigation District No. 4, all a part of the Pick-Sloan Missouri Basin Program: The House agreed by unanimous consent to H.R. 4000, to authorize the Secretary of the Interior to revise certain repayment contracts with the Bostwick Irrigation District in Nebraska, the Kansas Bostwick Irrigation District No. 2, the Frenchman-Cambridge Irrigation District, and the Webster Irrigation District No. 4, all a part of the Pick-Sloan Missouri Basin Program. **Page 30429**

Enacting the technical and conforming amendments necessary to implement the Federal Deposit Insurance Reform Act of 2005: The House agreed by unanimous consent to H.R. 4636, to enact the technical and conforming amendments necessary to implement the Federal Deposit Insurance Reform Act of 2005. **Page 30429**

Directing the Joint Committee on the Library to accept the donation of a bust depicting Sojourner Truth and to display the bust in a suitable location in the rotunda of the Capitol: The House agreed by unanimous consent to H.R. 4510, amended, to direct the Joint Committee on the Library to accept the donation of a bust depicting Sojourner Truth and to display the bust in a suitable location in the rotunda of the Capitol, after agreeing to the Jackson-Lee amendment. **Page 30435**

Making certain technical corrections in amendments made by the Energy Policy Act of 2005: The House agreed by unanimous consent to H.R. 4637, to make certain technical corrections in amendments made by the Energy Policy Act of 2005. **Page 30436**

Reauthorizing the Temporary Assistance for Needy Families block grant program through March 31, 2006: The House agreed by unanimous consent to H.R. 4635, to reauthorize the Temporary Assistance for Needy Families block grant program through March 31, 2006. **Page 30436**

Adjournment Resolution: The House agreed to H. Con. Res. 326, providing for the sine die adjournment of the One Hundred Ninth Congress, First Session. **Page 30436**

Extension of Remarks: Agreed that Members may have until publication of the last edition of the Congressional Record authorized for the first session of the 109th Congress by the Joint Committee on Printing to revise and extend their remarks and to include brief, related extraneous material on any matter occurring before the adjournment of the first session sine die. **Page 30437**

Resignations—Appointments: Agreed that during the second session of the 109th Congress, the Speaker, the Majority Leader and Minority Leader be authorized to accept resignations and to make appointments authorized by law or by the House. **Page 30437**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Gilchrest, Representative Wolf, and Representative Tom Davis of Virginia to act as Speaker pro tempore to sign enrolled bills and joint resolutions through January 31, 2006. **Page 30437**

Quorum Calls—Votes: Six yea-and-nay votes and one recorded vote developed during the proceedings of the House today and appear on pages 30387–89, 30416–18, and 30427–28. There were no quorum calls.

Adjournment: The House met at 1 p.m. and at 6:30 a.m. on Monday, December 19th, pursuant to the previous order of the House of today, the House stands adjourned until 4 p.m. on Thursday, December 22, 2005, unless it sooner has received a message or messages from the Senate transmitting its adoption of a conference report to accompany H.R. 2863, its adoption of a conference report to accompany H.R. 3010, and its adoption of House Concurrent Resolution 326, in which case the House shall stand adjourned sine die pursuant to that concurrent resolution.

Committee Meetings

DEPARTMENT OF DEFENSE APPROPRIATIONS, FY 2006—CONFERENCE REPORT

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 2863, Department of Defense Appropriations, FY 2006, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Chairman Young of Florida and Representative Burton.

DEFICIT CONTROL ACT 2005—CONFERENCE REPORT

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany S. 1932, Deficit Control Act of 2005, and against its consideration. The rule provides that the conference report shall be considered as read. The rule provides that Section 2 of House Resolution 619 is amended to read as follows: "On any legislative day of the second session of the One Hundred Ninth Congress from January 3, 2006, through January 30, 2006, the Speaker may dispense with organizational and legislative business," Testimony was heard from Chairman Nussle.

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Monday, December 19, 2005

Senate

Chamber Action

Routine Proceedings, pages 30448–30545

Measures Introduced: Four bills were introduced, as follows: S. 2142–2145. **Page 30540**

Department of Defense Appropriations Conference Report: By a vote of 94 yeas to 1 nay (Vote No. 359), Senate agreed to the motion to proceed to the consideration of the conference report to accompany H.R. 2863, making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, and then began consideration of the conference report. **Page 30488**

A motion was entered to close further debate on the conference report and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Wednesday, December 21, 2005. **Page 30488**

National Defense Authorization Conference Report: By a unanimous vote of 95 yeas (Vote No. 360), Senate agreed to the motion to proceed to the consideration of the conference report to accompany H.R. 1815, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and then began consideration of the conference report. **Page 30488**

A motion was entered to close further debate on the conference report and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Wednesday, December 21, 2005. **Page 30489**

Deficit Reduction Omnibus Reconciliation Act—Conference Report: By a unanimous vote of 86 yeas to 9 nays (Vote No. 361), Senate agreed to the motion to proceed to the consideration of the conference report to accompany S. 1932, to provide for reconciliation pursuant to section 202(a) of the concurrent resolution on the budget for fiscal year 2006 (H. Con. Res. 95), and then began consideration of the conference report. **Page 30489**

A unanimous-consent agreement was reached providing for further consideration of the conference report at 9:45 a.m. on Tuesday, December 20, 2005, and that there be eight hours of debate remaining equally divided. **Page 30545**

Messages From the House: **Page 30532**

Enrolled Bills Presented: **Page 30532**

Executive Communications: **Page 30532**

Petitions and Memorials: **Page 30533**

Executive Reports of Committees: **Page 30540**

Additional Cosponsors: **Page 30540**

Statements on Introduced Bills/Resolutions: **Page 30541**

Additional Statements: **Page 30529**

Authorities for Committees to Meet: **Page 30545**

Record Votes: Three record votes were taken today. (Total—361) **Pages 30488–89**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 7:41 p.m., until 9:45 a.m., on Tuesday, December 20, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page 30545.)

Committee Meetings

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported the nominations of J. Dorrance Smith, of Virginia, to be an Assistant Secretary of Defense for Public Affairs, Andrew J. McKenna, Jr., of Illinois, to be a Member of the National Security Education Board, and 2,558 military nominations in the Army, Navy, Air Force, and Marine Corps.

NOMINATION

Committee on Finance: Committee ordered favorably reported the nomination of Vincent J. Ventimiglia, Jr., of Maryland, to be an Assistant Secretary of Health and Human Services for Legislation.

House of Representatives

Chamber Action

The House was not in session today.

Committee Meetings

No committee meetings were held.

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Tuesday, December 20, 2005

Senate

Chamber Action

Routine Proceedings, pages 30555–30686

Measures Introduced: Ten bills and two resolutions were introduced, as follows: S. 2146–2155, and S. Res. 340–341. **Page 30673**

Measures Reported:

S. 967, to amend the Communications Act of 1934 to ensure that prepackaged news stories contain announcements that inform viewers that the information within was provided by the United States Government, with an amendment in the nature of a substitute. (S. Rept. No. 109–210)

S. 1063, to promote and enhance public safety and to encourage the rapid deployment of IP-enabled voice services, with an amendment in the nature of a substitute. (S. Rept. No. 109–211) **Page 30673**

Measures Passed:

Commending Dr. Douglas Holtz-Eakin: Senate agreed to S. Res. 341, commending Dr. Douglas Holtz-Eakin for his dedicated, faithful, and outstanding service to his country and to the Senate. **Page 30683**

Deficit Reduction Omnibus Reconciliation Act—Conference Report: Senate continued consideration of the conference report to accompany S. 1932, to provide for reconciliation pursuant to section 202(a) of the concurrent resolution on the budget for fiscal year 2006 (H. Con. Res. 95). **Page 30556**

A unanimous-consent agreement was reached providing for further consideration of the conference report at 9 a.m. on Wednesday, December 21, 2005, and that all time, except for five minutes each for the Chairman and Ranking Member of the Committee on the Budget, be considered expired; that following that time Senator Conrad be recognized to raise a Budget Act point of order against the conference report, that Senator Gregg then be recognized to make a motion to waive; that following the vote on the motion to waive, Senator Conrad be recognized to make a further point of order, that Senator Gregg again be recognized to make a motion to waive; that the only Byrd Rule points of order remaining in order be from the list at the desk; that if both points of order are waived, Senate vote on adoption of the conference report; further, that if either motion to waive is rejected and the Chair sustains either point of order following the votes on the motions to waive, Senate then vote on the motion to concur in the House of Representatives amendment with the Senate amendment as provided under the Congressional Budget Act of 1974, as amended, without intervening action or debate; and that there be four minutes equally divided before each point of order vote. **Page 30647**

Department of Defense Appropriations Conference Report: A unanimous-consent agreement was reached providing that following the disposition of the conference report to accompany S. 1932 (listed above), Senate resume consideration of the conference report to accompany H.R. 2863, making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, that there be one hour equally divided between the Majority and Democratic Leaders, or their designees, for debate only, and the Senate then vote on the motion to invoke cloture on the conference report. **Page 30684**

Nominations Received: Senate received the following nominations:

James I. Finley, of Minnesota, to be Deputy Under Secretary of Defense for Acquisition and Technology.

Stephen Goldsmith, of Indiana, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2010.

Sharee M. Freeman, of Virginia, to be Director, Community Relations Service, for a term of four years.

Routine lists in the Army and the Coast Guard. **Page 30686**

Executive Communications: **Page 30668**

Petitions and Memorials: Page 30669

Additional Cosponsors: Page 30674

Statements on Introduced Bills/Resolutions: Page 30675

Additional Statements: Page 30664

Privileges of the Floor: Page 30683

Adjournment: Senate convened at 9:45 a.m., and adjourned at 8:59 p.m., until 9 a.m., on Wednesday, December 21, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page 30684.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today.

Committee Meetings

No committee meetings were held.

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Wednesday, December 21, 2005

Senate

Chamber Action

Routine Proceedings, pages 30687–30917

Measures Introduced: Twenty-one bills and eight resolutions were introduced, as follows: S. 2156–2176, S. Res. 342–347, and S. Con. Res. 74–75. Page 30807

Measures Reported:

S. 2015, to provide a site for construction of a national health museum. (S. Rept. No. 109–212) Page 30807

Measures Passed:

Enrollment Correction Resolution: By 48 yeas to 45 nays (Vote No. 365), Senate agreed to S. Con. Res. 74, correcting the enrollment of H.R. 2863. Page 30722

USA PATRIOT Act Extension: Senate passed S. 2167, to amend the USA PATRIOT Act to extend the sunset of certain provisions of that Act and the lone wolf provision of the Intelligence Reform and Terrorism Prevention Act of 2004 to July 1, 2006. Page 30764

A unanimous-consent agreement was reached providing that if the House does not agree to the concurrent resolution (listed above), then adoption of the conference report to accompany H.R. 2863, Department of Defense Appropriations (listed below) is vitiated, and, notwithstanding the adoption of the adjournment resolution, Senate would reconvene at 8 p.m. on Thursday, December 22, 2005. Page 30916

Global Pathogen Surveillance Act: Senate passed S. 2170, to provide for global pathogen surveillance and response. Page 30893

Recognizing the Republic of Croatia: Senate agreed to S. Res. 342, recognizing the Republic of Croatia for its progress in strengthening democratic institutions, respect for human rights, and the rule of law and recommending the integration of Croatia into the North Atlantic Treaty Organization. Page 30896

Thank Our Defenders Week: Senate agreed to S. Res. 343, expressing the sense of the Senate that the week of December 19, 2005 should be designated "Thank Our Defenders Week." Page 30897

Support for Government of Georgia's South Ossetian Peace Plan: Senate agreed to S. Res. 344, expressing support for the Government of Georgia's South Ossetian Peace Plan and the successful and peaceful reintegration of the region into Georgia. Page 30897

100th Anniversary of Fenton Art Glass: Senate agreed to S. Res. 345, recognizing the 100th anniversary of Fenton Art Glass, a beloved institution in West Virginia, that continues to contribute to the economic and cultural heritage of the State through its production of world renowned, hand-blown glass. Page 30898

Commending Appalachian State University Football Team: Senate agreed to S. Res. 346, commending the Appalachian State University Football Team for winning the 2005 National Collegiate Athletic Association Division I–AA Football Championship. Page 30898

Encouraging Charitable Giving: Senate agreed to S. Con. Res. 75, encouraging all Americans to increase their charitable giving, with the goal of increasing the annual amount of charitable giving in the United States by 1 percent. Page 30899

Enrollment Correction: Senate agreed to H. Con. Res. 324, directing the Secretary of the Senate to make a technical correction in the enrollment of S. 1281. Page 30902

Intellectual Property Rights in the Russian Federation: Committee on Foreign Relations was discharged from further consideration of H. Con. Res. 230, expressing the sense of the Congress that the Russian Federation must protect intellectual property rights, which was then referred to the Committee on Finance and was discharged from further consideration thereof, and the resolution was then agreed to. Page 30902

Federal Flight Deck Officer Program: Committee on Commerce, Science, and Transportation was discharged from further consideration of H. Con. Res. 196, honoring the pilots of United States commercial air carriers who volunteer to participate in the Federal flight deck officer program, and the resolution was then agreed to. **Page 30902**

Recognizing African-American Basketball Teams and Players: Committee on Commerce, Science, and Transportation was discharged from further consideration of H. Con. Res. 59, recognizing the contributions of African-American basketball teams and players for their achievements, dedication, and contributions to the sport of basketball and to the Nation, and the resolution was then agreed to. **Page 30902**

Unaccompanied Alien Child Protection Act: Senate passed S. 119, to provide for the protection of unaccompanied alien children, after agreeing to the committee amendment, and the following amendment proposed thereto:

Frist (for Feinstein) Amendment No. 2692, in the nature of a substitute. **Page 30902**

Mortgage Forbearance for Hurricane Victims: Senate agreed to S. Res. 347, expressing the sense of the Senate that lenders holding mortgages on homes in communities of the Gulf Coast devastated by Hurricanes Katrina and Rita should extend current voluntary mortgage payment forbearance periods and not foreclose on properties in those communities. **Page 30903**

International Cooperation to Meet the Millennium Development Goals Act: Senate passed S. 1315, to require a report on progress toward the Millennium Development Goals, after agreeing to the committee amendments, and the following amendment proposed thereto: **Page 30903**

Frist (for Lugar) Amendment No. 2693, to strike "as a fundamental guide on which to base their planning," provision. **Page 30905**

Vet Center Enhancement Act: Senate passed S. 716, to amend title 38, United States Code, to enhance services provided by vet centers, to clarify and improve the provision of bereavement counseling by the Department of Veterans Affairs. **Page 30905**

Veteran Health Care Act: Senate passed S. 1182, to amend title 38, United States Code, to improve health care for veterans, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Page 30905**

Frist (for Craig) Amendment No. 2694, in the nature of a substitute. **Page 30911**

Fees for Armed Forces Funerals: Senate passed S. 1184, to waive the passport fees for a relative of a deceased member of the Armed Forces proceeding abroad to visit the grave of such member or to attend a funeral or memorial service for such member. **Page 30911**

Energy Policy Act Technical Corrections: Senate passed H.R. 4637, to make certain technical corrections in amendments made by the Energy Policy Act of 2005, clearing the measure for the President. **Page 30911**

TANF and Child Care Continuation Act: Senate passed H.R. 4635, to reauthorize the Temporary Assistance for Needy Families block grant program through March 31, 2006, clearing the measure for the President. **Page 30911**

Federal Deposit Insurance Reform Conforming Amendments Act: Senate passed H.R. 4636, to enact the technical and conforming amendments necessary to implement the Federal Deposit Insurance Reform Act of 2005, clearing the measure for the President. **Page 30911**

Junior Duck Stamp Reauthorization Amendments Act: Senate passed H.R. 3179, to reauthorize and amend the Junior Duck Stamp Conservation and Design Program Act of 1994, clearing the measure for the President. **Page 30911**

Securing Aircraft Cockpits Against Lasers Act: Senate passed H.R. 1400, to amend title 18, United States Code, to provide penalties for aiming laser pointers at airplanes, after agreeing to the following amendment proposed thereto: **Page 30911**

Frist (for Stevens) Amendment No. 2695, to provide exceptions for FAA research, Department of Defense activities, and use of signaling devices in emergencies. **Page 30912**

Passport Services Enhancement Act: Senate passed H.R. 4501, to amend the Passport Act of June 4, 1920, to authorize the Secretary of State to establish and collect a surcharge to cover the costs of meeting the increased demand for passports as a result of actions taken to comply with section 7209(b) of the Intelligence Reform and Terrorism Prevention Act of 2004, clearing the measure for the President. **Page 30912**

Trafficking Victims Protection Reauthorization Act: Senate passed H.R. 972, to authorize appropriations for fiscal years 2006 and 2007 for the Trafficking Victims Protection Act of 2000, clearing the measure for the President. **Page 30912**

Employee Retirement Income Security Act Amendments: Senate passed H.R. 4579, to amend title I of the Employee Retirement Income Security Act of 1974, title XXVII of the Public Health Service Act, and the Internal Revenue Code of 1986 to extend by one year provisions requiring parity in the application of certain limits to mental health benefits, clearing the measure for the President. **Page 30915**

Torture Victims Relief Reauthorization Act: Senate passed H.R. 2017, to amend the Torture Victims Relief Act of 1998 to authorize appropriations to provide assistance for domestic and foreign programs and centers for the treatment of victims of torture, clearing the measure for the President. **Page 30915**

Second Higher Education Extension Act: Senate passed H.R. 4525, to temporarily extend the programs under the Higher Education Act of 1965, clearing the measure for the President. **Page 30916**

Adjournment Resolution: Senate agreed to H. Con. Res. 326, providing for the sine die adjournment of the first session of the One Hundred Ninth Congress. **Page 30916**

A unanimous-consent agreement was reached providing that if the House does not agree to S. Con. Res. 74, correcting the enrollment of H.R. 2863, then the adjournment resolution (listed above) be vitiated. **Page 30916**

Deficit Reduction Omnibus Reconciliation Act—House Message: By 51 yeas to 50 nays, Vice President voting yea (Vote No. 363), Senate concurred in the amendment of the House of Representatives to S. 1932, to provide for reconciliation pursuant to section 202(a) of the concurrent resolution on the budget for fiscal year 2006 (H. Con. Res. 95), with the following amendment proposed thereto: **Page 30689**

Conrad Amendment No. 2691 (to the amendment of the House), in the nature of a substitute.

During consideration of this measure today, Senate also took the following action:

By 52 yeas to 48 nays (Vote No. 362), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive certain provisions of section 313 of the Congressional Budget Act of 1974, as amended, for consideration of sections 5001(b)(3), 5001(b)(4), and the relevant part of section 6043(a) of the conference report. Subsequently, the point of order against section 5001(b)(3), section 5001(b)(4), and that portion of section 6043(a) proposing a new subsection (e)(4) to section 1916A of the Social Security Act as added by section 6041, and as amended by section 6042 of this Act, was sustained, and the conference report was defeated by operation of the Budget Act. **Page 30690**

The point of order against section 7404 regarding foster care was not sustained. **Page 30690**

Department of Defense Appropriations—Conference Report: By a unanimous vote of 93 yeas (Vote No. 366), Senate agreed to the conference report to accompany H.R. 2863, making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, providing that the House agree to S. Con. Res. 74 (listed above). **Pages 30709, 30729**

During consideration of this measure today, Senate also took the following action:

By 56 yeas to 44 nays (Vote No. 364), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to close further debate on the conference report. **Page 30722**

Subsequently, Senator Frist entered a motion to reconsider the vote by which cloture was not invoked, which was later rendered moot. **Page 30722**

National Defense Authorization—Conference Report: Senate agreed to the conference report to accompany H.R. 1815, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, clearing the measure for the President. **Page 30744**

Prior to this action, the pending vote on the motion to invoke cloture was vitiated. **Page 30742**

Labor/HHS/Education Appropriations—Conference Report: Senate agreed to the conference report to accompany H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, clearing the measure for the President. **Page 30770**

National Aeronautics and Space Administration Authorization Act—Conference Report: Senate agreed to the conference report to accompany S. 1281, to authorize appropriations for the National Aeronautics and Space Administration for science, aeronautics, exploration, exploration capabilities, and the Inspector General, and for other purposes, for fiscal years 2006, 2007, 2008, 2009, and 2010, clearing the measure for the President. **Page 30899**

Nominations—Agreement: A unanimous-consent agreement was reached providing that, notwithstanding the adjournment of the Senate, all nominations remain in status quo, with the exception of the nomination of Brett M. Kavanaugh, of Maryland, to be United States Circuit Judge for the District of Columbia Circuit, and a list of nominations from the Committee on Armed Services that are at the desk. **Page 30892**

Authorizing Leadership to Make Appointments—Agreement: A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate, the President of the Senate, the President pro tempore, and the Majority and Minority Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate. **Page 30893**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that during this adjournment of the Senate, the Majority Leader and Senator Allen, be authorized to sign duly enrolled bills or joint resolutions. **Page 30893**

Nominations Confirmed: Senate confirmed the following nominations:

R. Thomas Weimer, of Colorado, to be an Assistant Secretary of the Interior.

Vincent J. Ventimiglia, Jr., of Maryland, to be an Assistant Secretary of Health and Human Services.

Timothy Mark Burgess, of Alaska, to be United States District Judge for the District of Alaska.

Joseph Frank Bianco, of New York, to be United States District Judge for the Eastern District of New York.

Emilio T. Gonzalez, of Florida, to be Director of the Bureau of Citizenship and Immigration Services, Department of Homeland Security.

Gregory F. Van Tatenhove, of Kentucky, to be United States District Judge for the Eastern District of Kentucky.

Kristi Dubose, of Alabama, to be United States District Judge for the Southern District of Alabama.

Virginia Mary Kendall, of Illinois, to be United States District Judge for the Northern District of Illinois.

W. Keith Watkins, of Alabama, to be United States District Judge for the Middle District of Alabama.

Eric Nicholas Vitaliano, of New York, to be United States District Judge for the Eastern District of New York.

Michael Joseph Copps, of Virginia, to be a Member of the Federal Communications Commission for a term of five years from July 1, 2005.

Deborah Taylor Tate, of Tennessee, to be a Member of the Federal Communications Commission for the remainder of the term expiring June 30, 2007.

1 Air Force nomination in the rank of general.

3 Army nominations in the rank of general.

1 Marine Corps nomination in the rank of general.

Routine lists in the Air Force, Army, Marine Corps, Navy.

Routine lists in the Coast Guard. (Prior to this action, the Committee on Commerce, Science, and Transportation was discharged from further consideration.)

Pages 30780, 30892, 30917

Nominations Received: Senate received the following nominations:

Received on Wednesday, December 21, during the adjournment:

Alexander A. Karsner, of Virginia, to be an Assistant Secretary of Energy (Energy Efficiency and Renewable Energy).

Susan Richardson Williams, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2007.

Donald R. DePriest, of Mississippi, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2009.

Howard A. Thrailkill, of Alabama, to be a Member of the Board of Directors of the Tennessee Valley Authority for the term prescribed by law.

Vince J. Juaristi, of Virginia, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring February 8, 2009.

A routine list in the Navy. **Page 30916**

Nominations Withdrawn: Senate received notification of withdrawal of the following nominations:

Howard A. Thrailkill, of Alabama, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2007, which was sent to the Senate on November 17, 2005.

Susan Richardson Williams, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for the term prescribed by law, which was sent to the Senate on November 17, 2005. **Page 30917**

Messages From the House: **Page 30807**

Additional Cosponsors: **Page 30808**

Statements on Introduced Bills/Resolutions: **Page 30809**

Additional Statements: **Page 30804**

Amendments Submitted: **Page 30829**

Record Votes: Five record votes were taken today. (Total—366) **Pages 30692, 30709, 30722, 30729, 30742**

Adjournment: Senate met at 9 a.m., and, in accordance with the provisions of H. Con. Res. 326, adjourned sine die at 12:13 a.m., on Thursday, December 22, 2005, until 12 noon, on Tuesday, January 3, 2006 for a pro forma session, and then adjourn automatically until 10 a.m. on Wednesday, January 18, 2006, unless the House of Representatives fails to adopt S. Con. Res. 74, Enrollment Correction Resolution, at which time the Senate will reconvene at 8 p.m. on Thursday, December 22, 2005.

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. It will meet at 4 p.m. tomorrow, Thursday, December 22nd.

Committee Meetings

No committee meetings were held.

Thursday, December 22, 2005

Senate

Chamber Action

Routine Proceedings, pages 30919–21

USA PATRIOT Act Extension: Senate concurred in the amendment of the House to S. 2167, to amend the USA PATRIOT Act to extend the sunset of certain provisions of that Act and the lone wolf provision of the Intelligence Reform and Terrorism Prevention Act of 2004 to July 1, 2006, clearing the measure for the President. **Page 30919**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that all applicable signing and appointments authorities be extended through the adjournment of the Senate and that Senator Warner be authorized to sign duly enrolled bills and joint resolutions. **Page 30919**

Printing Authority—Agreement: A unanimous-consent agreement was reached providing that the text of S. 1783, as passed by the Senate on November 16, 2005, be printed. **Page 30919**

Nominations Returned to the President: The following nominations transmitted by the President of the United States to the Senate during the first session of the 109th Congress, and upon which no action was had at the time of the sine die adjournment of the Senate, failed of confirmation under the provisions of Rule XXXI, paragraph 6, of the Standing Rules of the Senate.

Defense Base Closure and Realignment Commission:

James H. Bilbray, of Nevada, to be a Member of the Defense Base Closure and Realignment Commission.

Philip Coyle, of California, to be a Member of the Defense Base Closure and Realignment Commission.

Admiral Harold W. Gehman, Jr., United States Navy, Retired, of Virginia, to be a Member of the Defense Base Closure and Realignment Commission.

James V. Hansen, of Utah, to be a Member of the Defense Base Closure and Realignment Commission.

General James T. Hill, United States Army, Retired, of Florida, to be a Member of the Defense Base Closure and Realignment Commission.

Samuel Knox Skinner, of Illinois, to be a Member of the Defense Base Closure and Realignment Commission.

Brigadier General Sue Ellen Turner, United States Air Force, Retired, of Texas, to be a Member of the Defense Base Closure and Realignment Commission.

James H. Bilbray, of Nevada, to be a Member of the Defense Base Closure and Realignment Commission, to which position he was appointed during the last recess of the Senate.

Philip Coyle, of California, to be a Member of the Defense Base Closure and Realignment Commission, to which position he was appointed during the last recess of the Senate.

Admiral Harold W. Gehman, Jr., United States Navy, Retired, of Virginia, to be a Member of the Defense Base Closure and Realignment Commission, to which position he was appointed during the last recess of the Senate.

James V. Hansen, of Utah, to be a Member of the Defense Base Closure and Realignment Commission, to which position he was appointed during the last recess of the Senate.

General James T. Hill, United States Army, Retired, of Florida, to be a Member of the Defense Base Closure and Realignment Commission, to which position he was appointed during the last recess of the Senate.

General Lloyd W. Newton, United States Air Force, Retired, of Connecticut, to be a Member of the Defense Base Closure and Realignment Commission, to which position he was appointed during the last recess of the Senate.

Anthony Joseph Principi, of California, to be a Member of the Defense Base Closure and Realignment Commission, to which position he was appointed during the last recess of the Senate.

Samuel Knox Skinner, of Illinois, to be a Member of the Defense Base Closure and Realignment Commission, to which position he was appointed during the last recess of the Senate.

Brigadier General Sue Ellen Turner, United States Air Force, Retired, of Texas, to be a Member of the Defense Base Closure and Realignment Commission, to which position she was appointed during the last recess of the Senate.

Department of Justice:

Steven G. Bradbury, of Maryland, to be an Assistant Attorney General.

The Judiciary:

Brett M. Kavanaugh, of Maryland, to be United States Circuit Judge for the District of Columbia Circuit.

In the Air Force:

Air Force nominations beginning with Brigadier General Dana T. Atkins and ending with Brigadier General Johnny A. Weida, which nominations were received by the Senate and appeared in the Congressional Record on May 9, 2005.

Air Force nomination of Colonel James A. Buntyn to be Brigadier General.

Air Force nominations beginning with Colonel Brock John T. Strom and ending with Colonel Richard J. Utecht, which nominations were received by the Senate and appeared in the Congressional Record on October 6, 2005.

Air Force nominations beginning with Colonel Gregory A. Biscone and ending with Colonel Tod D. Wolters, which nominations were received by the Senate and appeared in the Congressional Record on November 4, 2005.

In the Army:

Army nomination of Colonel Freddie R. Waggoner to be Brigadier General.

Army nomination of Col. Julia A. Kraus to be Brigadier General.

Army nomination of Maj. Gen. Eric T. Olson to be Lieutenant General.

Army nomination of Col. Gilberto S. Pena to be Brigadier General.

Army nomination of Col. Rodney J. Barham to be Brigadier General.

Army nomination of Col. Larry L. Arnett to be Brigadier General.

Army nomination of Col. Otis P. Morris to be Brigadier General.

In the Navy:

Navy nomination of Captain David J. Mercer to be Rear Admiral (Lower Half).

Navy nomination of Tito P. Dua to be Captain.

Navy nomination of Lance C. Esswein to be Commander. **Page 30920**

Messages From the House: **Page 30920**

Enrolled Bills Presented: **Page 30920**

Additional Statements: **Page 30920**

Adjournment: Senate met at 8 p.m., and, in accordance with the provisions of H. Con. Res. 326, adjourned sine die at 8:04 p.m., until 12 noon, on Tuesday, January 3, 2006 for a pro forma session, and then adjourn automatically until 10 a.m. on Wednesday, January 18, 2006.

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 7 public bills, H.R. 4647–4653; and 5 resolutions, H. Con. Res. 329–330; and H. Res. 643–645, were introduced. **Page 30932**

Additional Cosponsors: **Page 30932**

Reports Filed: Reports were filed today as follows:

H.R. 4438, to establish special rules with respect to certain disaster assistance provided for Hurricane Katrina and Hurricane Rita (H. Rept. 109–364). **Page 30932**

Speaker: Read a letter from the Speaker wherein he appointed Representative Wolf to act as Speaker pro tempore for today. **Page 30922**

Amending the USA PATRIOT Act to extend the sunset of certain provisions of such act: The House agreed by unanimous consent to H.R. 4647, to amend the USA PATRIOT Act to extend the sunset of certain provisions of such act. **Page 30923**

Amending the USA PATRIOT Act to extend the sunset of certain provisions of that Act and the lone wolf provision of the Intelligence Reform and Terrorism Prevention Act of 2004 to July 1, 2006: The House agreed by unanimous consent to S. 2167, amended, to amend the USA PATRIOT Act to extend the sunset of certain provisions of that Act and the lone wolf provision of the Intelligence Reform and Terrorism Prevention Act of 2004 to July 1, 2006, after agreeing to the Sensenbrenner amendment. **Page 30924**

A concurrent resolution correcting the enrollment of H.R. 2863: The House agreed by unanimous consent to S. Con. Res. 74, a concurrent resolution correcting the enrollment of H.R. 2863. **Page 30925**

Adjournment Sine Die Pending Receipt of Senate Message: Agreed by unanimous consent that when the House adjourns today pursuant to this order, it adjourn to meet at 11 a.m. on Monday, December 26, 2005, unless it sooner has received a message from the Senate transmitting its adoption of H. Con. Res. 531, in which case the House shall stand adjourned sine die pursuant to that concurrent resolution. **Page 30928**

Senate Message: Message received from the Senate today appears on page 30922.

Senate Referrals: S. 716 and S. 1182 were referred to the Committee on Veteran Affairs; S. 119 was referred to the Committee on the Judiciary; S. 1184 was referred to the Committee on International Relations; and S. 1315 and S. 2170 were held at the desk. **Page 30929**

Quorum Calls—Votes: There were no yea-and-nay votes, and there were no recorded votes. There were no quorum calls.

Adjournment: The House met at 4 p.m. and at 4:36 p.m., pursuant to the previous order of the House of today, the House stands adjourned until 11 a.m. on Monday, December 26, 2005, unless it sooner has received a message or messages from the Senate transmitting its adoption of House Concurrent Resolution 326, in which case the House shall stand adjourned sine die pursuant to that concurrent resolution.

Committee Meetings

No committee meetings were held.

Friday, December 30, 2005

Senate

Chamber Action

The Senate was not in session today. It will next meet at 12 noon, on Tuesday, January 3, 2006.

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. The House will meet at 12 noon on Tuesday, January 3, 2006, for the convening of the Second Session of the One Hundred Ninth Congress.

Committee Meetings

No committee meetings were held.

Final Résumé of Congressional Activity

FOR THE FIRST SESSION OF THE ONE HUNDRED NINTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 4, 2005 through December 22, 2005

	Senate	*House*	*Total*
Days in session	159	140	..
Time in session	1,222 hrs., 26′	1,067 hrs., 12′	..
Congressional Record:			
Pages of proceedings	14,425	13,189	..
Extensions of Remarks	..	2,651	..
Public bills enacted into law	50	119	169
Private bills enacted into law	..	..	..
Bills in conference	18	3	..
Measures passed, total	624	715	1,339
Senate bills	194	51	..
House bills	117	290	..
Senate joint resolutions	2	1	..
House joint resolutions	8	12	..
Senate concurrent resolutions	22	11	..
House concurrent resolutions	41	88	..
Simple resolutions	240	262	..
Measures reported, total*	287	334	621
Senate bills	227	5	..
House bills	37	186	..
Senate joint resolutions	2	..	..
House joint resolutions	..	3	..
Senate concurrent resolutions	1	..	..
House concurrent resolutions	..	6	..
Simple resolutions	20	134	..
Special reports	14	10	..
Conference reports	2	20	..
Measures pending on calendar	180	93	..
Measures introduced, total	2,618	5,703	8,321
Bills	2,169	4,653	..
Joint resolutions	27	75	..
Concurrent resolutions	75	330	..
Simple resolutions	347	645	..
Quorum calls	3	2	..
Yea-and-nay votes	366	362	..
Recorded votes	..	307	..
Bills vetoed	..	..	..
Vetoes overridden	..	..	..

*These figures include all measures reported, even if there was no accompanying report. A total of 212 reports have been filed in the Senate, a total of 364 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 4, 2005 through December 22, 2005

Civilian nominations, totaling 511, disposed of as follows:

Confirmed	325
Unconfirmed	148
Withdrawn	18
Returned to White House	20

Other Civilian nominations, totaling 2,740, disposed of as follows:

Confirmed	1,960
Unconfirmed	780

Air Force nominations, totaling 9,860, disposed of as follows:

Confirmed	9,723
Unconfirmed	100
Returned to White House	37

Army nominations, totaling 8,586, disposed of as follows:

Confirmed	7,971
Unconfirmed	608
Returned to White House	7

Navy nominations, totaling 4,607, disposed of as follows:

Confirmed	4,583
Unconfirmed	21
Returned to White House	3

Marine Corps nominations, totaling 1,382, disposed of as follows:

Confirmed	1,380
Unconfirmed	2

Summary

Total nominations carried over from the previous Session	0
Total nominations received this Session	27,686
Total confirmed	25,942
Total unconfirmed	1,659
Total withdrawn	18
Total Returned to the White House	67

HISTORY OF BILLS ENACTED INTO PUBLIC LAW

(109th Cong., 1st Sess.)

	Law No.
S. 5	109–2
S. 37	109–100
S. 45	109–56
S. 52	109–130
S. 55	109–93
S. 136	109–131
S. 156	109–94
S. 161	109–110
S. 167	109–9
S. 172	109–96
S. 205	109–152
S. 212	109–132
S. 252	109–69
S. 256	109–8
S. 264	109–70
S. 276	109–71
S. 279	109–133
S. 335	109–143
S. 384	109–5
S. 397	109–92
S. 467	109–144
S. 544	109–41
S. 571	109–50
S. 643	109–17
S. 652	109–153
S. 686	109–3
S. 714	109–21
S. 775	109–51
S. 904	109–52
S. 1047	109–145
S. 1234	109–111
S. 1238	109–154
S. 1281	109–155
S. 1282	109–34
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S. 1310	109–156
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S. 1786	109–87
S. 1858	109–88
S. 1886	109–134
S. 1892	109–158
S. 1894	109–113
S. 1988	109–159
S. 2167	109–160
H.R. 3	109–59
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H.R. 126	109–117
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H.R. 324	109–24
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H.R. 483	109–16
H.R. 504	109–25
H.R. 539	109–118
H.R. 541	109–46
H.R. 584	109–125
H.R. 606	109–119
H.R. 627	109–26
H.R. 680	109–126
H.R. 787	109–10
H.R. 794	109–47
H.R. 797	109–136
H.R. 804	109–64
H.R. 972	109–164
H.R. 1001	109–36
H.R. 1046	109–48
H.R. 1072	109–27
H.R. 1082	109–28
H.R. 1101	109–127
H.R. 1132	109–60
H.R. 1134	109–7
H.R. 1160	109–4
H.R. 1236	109–29
H.R. 1268	109–13
H.R. 1270	109–6
H.R. 1409	109–95
H.R. 1460	109–30
H.R. 1524	109–31
H.R. 1542	109–32
H.R. 1760	109–15
H.R. 1812	109–18
H.R. 1815	109–163
H.R. 1972	109–120
H.R. 1973	109–121
H.R. 2017	109–165
H.R. 2062	109–122
H.R. 2132	109–78
H.R. 2183	109–123
H.R. 2326	109–33
H.R. 2360	109–90
H.R. 2361	109–54
H.R. 2385	109–79
H.R. 2419	109–103
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H.R. 2985	109–55
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H.R. 3045	109–53
H.R. 3057	109–102
H.R. 3058	109–115
H.R. 3071	109–38
H.R. 3104	109–20
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H.R. 3377	109–37
H.R. 3402	109–162
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H.R. 3453	109–40
H.R. 3512	109–42
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H.R. 3667	109–84
H.R. 3668	109–67
H.R. 3669	109–65
H.R. 3672	109–68
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H.R. 3767	109–85
H.R. 3768	109–73
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H.R. 4508	109–141
H.R. 4525	109–150
H.R. 4579	109–151
H.R. 4635	109–161
H.R. 4637	109–168
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H.J. Res. 20	109–12
H.J. Res. 38	109–142
H.J. Res. 52	109–39
H.J. Res. 59	109–49
H.J. Res. 68	109–77
H.J. Res. 72	109–105
H.J. Res. 75	109–128

BILLS VETOED

Title	Bill No.		Date introduced	Committee		Date Reported		Report No.		Date of passage		Public Law	
				House	Senate	House	Senate	House 109–	Senate 109–	House	Senate	Date approved	No. 109–
To accelerate the income tax benefits for charitable cash contributions for the relief of victims of the Indian Ocean tsunami.	H.R.	241	Jan. 6, 2005	WM			....	....	....	Jan. 6, 2005	Jan. 6, 2005	Jan. 7, 2005	1
To amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants, and for other purposes.	S.	5	Jan. 25, 2005		Jud	....	Feb. 3, 2005	....	0	Feb. 17, 2005	Feb. 10, 2005	Feb. 18, 2005	2
To provide for the relief of the parents of Theresa Marie Schiavo.	S.	686	Mar. 20, 2005			....	....	....	....	Mar. 21, 2005	Mar. 20, 2005	Mar. 21, 2005	3
To reauthorize the Temporary Assistance for Needy Families block grant program through June 30, 2005, and for other purposes.	H.R.	1160	Mar. 8, 2005	WM EC			....	....	....	Mar. 14, 2005	Mar. 15, 2005	Mar. 25, 2005	4
To extend the existence of the Nazi War Crimes and Japanese Imperial Government Records Interagency Working Group for 2 years.	S.	384	Feb. 15, 2005	GR			....	....	....	Mar. 14, 2005	Feb. 16, 2005	Mar. 25, 2005	5
To amend the Internal Revenue Code of 1986 to extend the Leaking Underground Storage Tank Trust Fund financing rate.	H.R.	1270	Mar. 14, 2005	WM			....	....	....	Mar. 16, 2005	Mar. 17, 2005	Mar. 31, 2005	6
To amend the Internal Revenue Code of 1986 to provide for the proper tax treatment of certain disaster mitigation payments.	H.R.	1134	Mar. 7, 2005	WM	Fin			....	....	Mar. 14, 2005	April 13, 2005	April 15, 2005	7
To amend title 11 of the United States Code, and for other purposes.	S.	256	Feb. 1, 2005	Jud FS	Jud	April 8, 2005	Feb. 17, 2005	31	0	April 14, 2005	Mar. 10, 2005	April 20, 2005	8
To provide for the protection of intellectual property rights, and for other purposes.	S.	167	Jan. 25, 2005	Jud HA	Jud	April 12, 2005		33	....	April 19, 2005	Feb. 1, 2005	April 27, 2005	9
To designate the United States courthouse located at 501 I Street in Sacramento, California, as the "Robert T. Matsui United States Courthouse".	H.R. (S. 125)	787	Feb. 10, 2005	TI	EPW		Feb. 16, 2005	....	0	April 13, 2005	April 14, 2005	April 29, 2005	10
Providing for the appointment of Shirley Ann Jackson as a citizen regent of the Board of Regents of the Smithsonian Institution.	H.J. Res.	19	Feb. 15, 2005	HA	RAdm			....	....	April 19, 2005	April 28, 2005	May 5, 2005	11
Providing for the appointment of Robert P. Kogod as a citizen regent of the Board of Regents of the Smithsonian Institution.	H.J. Res.	20	Feb. 15, 2005	HA	RAdm			....	....	April 19, 2005	April 28, 2005	May 5, 2005	12
Making emergency supplemental appropriations for the fiscal year ending September 30, 2005, to establish and rapidly implement regulations for State driver's license and identification document security standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, to ensure expeditious construction of the San Diego border fence, and for other purposes.	H.R.	1268	Mar. 11, 2005	App	App	Mar. 11, 2005	April 6, 2005	16	52	Mar. 16, 2005	April 21, 2005	May 11, 2005	13
To provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Centur	H.R.	2566	May 24, 2005	TI WM Sci Res			....	....	....	May 25, 2005	May 26, 2005	May 31, 2005	14

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			House	Senate	House	Senate	House 109–	Senate 109–	House	Senate	Date ap-proved	No. 109–
To designate the facility of the United States Postal Service located at 215 Martin Luther King, Jr. Boulevard in Madison, Wisconsin, as the "Robert M. La Follette, Sr. Post Office Building".	H.R. 1760	April 21, 2005	GR	HS&GA			....	....	May 16, 2005	May 26, 2005	June 17, 2005	15
To designate a United States courthouse in Brownsville, Texas, as the "Reynaldo G. Garza and Filemon B. Vela United States Courthouse".	H.R. 483	Feb. 1, 2005	TI	EPW		June 9, 2005	....	0	April 13, 2005	June 15, 2005	June 29, 2005	16
To amend the Agricultural Credit Act of 1987 to reauthorize State mediation programs.	S. 643	Mar. 16, 2005		ANF	....		....	....	June 13, 2005	April 21, 2005	June 29, 2005	17
To amend the Public Health Service Act to authorize a demonstration grant program to provide patient navigator services to reduce barriers and improve health care outcomes, and for other purposes.	H.R. 1812	April 25, 2005	EC	HEL&P	June 7, 2005		104	....	June 13, 2005	June 22, 2005	June 29, 2005	18
To reauthorize the Temporary Assistance for Needy Families block grant program through September 30, 2005, and for other purposes.	H.R. 3021	June 22, 2005	WM			....	....	....	June 29, 2005	June 30, 2005	July 1, 2005	19
To provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.	H.R. 3104	June 29, 2005	TI WM Sci Res			....	....	....	June 30, 2005	June 30, 2005	July 1, 2005	20
To amend section 227 of the Communications Act of 1934 (47 U.S.C. 227) relating to the prohibition on junk fax transmissions.	S. 714	April 6, 2005		CST	....	June 7, 2005	....	76	June 28, 2005	June 24, 2005	July 9, 2005	21
To designate the facility of the United States Postal Service located at 30777 Rancho California Road in Temecula, California, as the "Dalip Singh Saund Post Office Building".	H.R. 120	Jan. 4, 2005	GR	HS&GA			....	....	Feb. 1, 2005	June 29, 2005	July 12, 2005	22
To designate the facility of the United States Postal Service located at 8200 South Vermont Avenue in Los Angeles, California, as the "Sergeant First Class John Marshall Post Office Building".	H.R. 289	Jan. 6, 2005	GR	HS&GA			....	....	Feb. 1, 2005	June 29, 2005	July 12, 2005	23
To designate the facility of the United States Postal Service located at 321 Montgomery Road in Altamonte Springs, Florida, as the "Arthur Stacey Mastrapa Post Office Building".	H.R. 324	Jan. 25, 2005	GR	HS&GA			....	....	Feb. 15, 2005	June 29, 2005	July 12, 2005	24
To designate the facility of the United States Postal Service located at 4960 West Washington Boulevard in Los Angeles, California, as the "Ray Charles Post Office Building".	H.R. 504	Feb. 1, 2005	GR	HS&GA			....	....	April 20, 2005	June 29, 2005	July 12, 2005	25
To designate the facility of the United States Postal Service located at 40 Putnam Avenue in Hamden, Connecticut, as the "Linda White-Epps Post Office".	H.R. 627	Feb. 8, 2005	GR	HS&GA			....	....	May 16, 2005	June 29, 2005	July 12, 2005	26

To designate the facility of the United States Postal Service located at 151 West End Street in Goliad, Texas, as the "Judge Emilio Vargas Post Office Building".	H.R.	1072	Mar. 3, 2005	GR	HS&GA			…………	…………	April 20, 2005	June 29, 2005	July 12, 2005	27
To designate the facility of the United States Postal Service located at 120 East Illinois Avenue in Vinita, Oklahoma, as the "Francis C. Goodpaster Post Office Building".	H.R.	1082	Mar. 3, 2005	GR	HS&GA			…………	…………	May 4, 2005	June 29, 2005	July 12, 2005	28
To designate the facility of the United States Postal Service located at 750 4th Street in Sparks, Nevada, as the "Mayor Tony Armstrong Memorial Post Office".	H.R.	1236	Mar. 10, 2005	GR	HS&GA			…………	…………	April 26, 2005	June 29, 2005	July 12, 2005	29
To designate the facility of the United States Postal Service located at 6200 Rolling Road in Springfield, Virginia, as the "Captain Mark Stubenhofer Post Office Building".	H.R.	1460	April 5, 2005	GR	HS&GA			…………	…………	April 6, 2005	June 29, 2005	July 12, 2005	30
To designate the facility of the United States Postal Service located at 12433 Antioch Road in Overland Park, Kansas, as the "Ed Eilert Post Office Building".	H.R.	1524	April 6, 2005	GR	HS&GA			…………	…………	April 26, 2005	June 29, 2005	July 12, 2005	31
To designate the facility of the United States Postal Service located at 695 Pleasant Street in New Bedford, Massachusetts, as the "Honorable Judge George N. Leighton Post Office Building".	H.R.	1542	April 12, 2005	GR	HS&GA			…………	…………	May 4, 2005	June 29, 2005	July 12, 2005	32
To designate the facility of the United States Postal Service located at 614 West Old County Road in Belhaven, North Carolina, as the "Floyd Lupton Post Office".	H.R.	2326	May 12, 2005	GR	HS&GA			…………	…………	June 13, 2005	June 29, 2005	July 12, 2005	33
To amend the Communications Satellite Act of 1962 to strike the privatization criteria for INTELSAT separated entities, remove certain restrictions on separated and successor entities to INTELSAT, and for other purposes.	S.	1282	June 21, 2005	EC			………………	…………	…………	June 29, 2005	June 21, 2005	July 12, 2005	34
To provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.	H.R.	3332	July 19, 2005	TI WM Sci Res			………………	…………	…………	July 19, 2005	July 19, 2005	July 20, 2005	35
To designate the facility of the United States Postal Service located at 301 South Heatherwilde Boulevard in Pflugerville, Texas, as the "Sergeant Byron W. Norwood Post Office Building".	H.R.	1001	Mar. 1, 2005	GR	HS&GA			…………	…………	April 20, 2005	June 29, 2005	July 21, 2005	36
To provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.	H.R.	3377	July 21, 2005	TI WM Res Sci			………………	…………	…………	July 21, 2005	July 21, 2005	July 22, 2005	37
To permit the individuals currently serving as Executive Director, Deputy Executive Directors, and General Counsel of the Office of Compliance to serve one additional term.	H.R.	3071	June 27, 2005	HA			………………	…………	…………	June 30, 2005	July 13, 2005	July 27, 2005	38
Approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.	H.J.	Res. 52	May 26, 2005	WM			………………	…………	…………	June 21, 2005	July 19, 2005	July 27, 2005	39

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				House	Senate	House	Senate	House 109–	Senate 109–	House	Senate	Date approved	No. 109–
To provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.	H.R.	3453	July 27, 2005	TI WM Res Sci			....	....	....	July 27, 2005	July 27, 2005	July 28, 2005	40
To amend title IX of the Public Health Service Act to provide for the improvement of patient safety and to reduce the incidence of events that adversely effect patient safety.	S.	544	Mar. 8, 2005	EC	HEL&P			....	....	July 27, 2005	July 21, 2005	July 29, 2005	41
To provide an extension of administrative expenses for highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.	H.R.	3512	July 28, 2005	TI WM Res Sci			....	....	....	July 29, 2005	July 29, 2005	July 30, 2005	42
To amend the Federal Food, Drug, and Cosmetic Act with respect to medical device user fees.	H.R.	3423	July 25, 2005	EC			....	....	....	July 26, 2005	July 27, 2005	Aug. 1, 2005	43
To designate a portion of the White Salmon River as a component of the National Wild and Scenic Rivers System.	H.R.	38	Jan. 4, 2005	Res	ENR	June 14, 2005		125	....	June 27, 2005	July 26, 2005	Aug. 2, 2005	44
To further the purposes of the Sand Creek Massacre National Historic Site Establishment Act of 2000.	H.R.	481	Feb. 1, 2005	Res	ENR	June 8, 2005		107	....	June 27, 2005	July 26, 2005	Aug. 2, 2005	45
To direct the Secretary of Agriculture to convey certain land to Lander County, Nevada, and the Secretary of the Interior to convey certain land to Eureka County, Nevada, for continued use as cemeteries.	H.R.	541	Feb. 2, 2005	Res	ENR			....	....	April 12, 2005	July 26, 2005	Aug. 2, 2005	46
To correct the south boundary of the Colorado River Indian Reservation in Arizona, and for other purposes.	H.R.	794	Feb. 14, 2005	Res	IA			....	....	April 12, 2005	July 26, 2005	Aug. 2, 2005	47
To authorize the Secretary of the Interior to contract with the city of Cheyenne, Wyoming, for the storage of the city's water in the Kendrick Project, Wyoming.	H.R.	1046	Mar. 2, 2005	Res			....	....	....	May 16, 2005	July 26, 2005	Aug. 2, 2005	48
Expressing the sense of Congress with respect to the women suffragists who fought and won the right of women to vote in the United States.	H.J. Res.	59	July 14, 2005	GR			....	....	....	July 25, 2005	July 28, 2005	Aug. 2, 2005	49
To designate the facility of the United States Postal Service located at 1915 Fulton Street in Brooklyn, New York, as the "Congresswoman Shirley A. Chisholm Post Office Building".	S.	571	Mar. 9, 2005	GR	HS&GA			....	....	July 25, 2005	June 29, 2005	Aug. 2, 2005	50
To designate the facility of the United States Postal Service located at 123 W. 7th Street in Holdenville, Oklahoma, as the "Boone Pickens Post Office".	S.	775	April 13, 2005	GR	HS&GA			....	....	July 25, 2005	June 29, 2005	Aug. 2, 2005	51
To designate the facility of the United States Postal Service located at 1560 Union Valley Road in West Milford, New Jersey, as the "Brian P. Parrello Post Office Building".	S.	904	April 26, 2005	GR	HS&GA			....	....	July 26, 2005	June 29, 2005	Aug. 2, 2005	52

To implement the Dominican Republic-Central America-United States Free Trade Agreement.	H.R.	3045	June 23, 2005	WM		July 25, 2005	....	182	....	July 28, 2005	July 28, 2005	Aug. 2, 2005	53
Making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes.	H.R.	2361	May 13, 2005	App	App	May 13, 2005	June 10, 2005	80	80	May 19, 2005	June 29, 2005	Aug. 2, 2005	54
Making appropriations for the Legislative Branch for the fiscal year ending September 30, 2006, and for other purposes.	H.R.	2985	June 20, 2005	App	App	June 20, 2005	June 24, 2005	139	89	June 22, 2005	June 30, 2005	Aug. 2, 2005	55
To amend the Controlled Substances Act to lift the patient limitation on prescribing drug addiction treatments by medical practitioners in group practices, and for other purposes.	S.	45	Jan. 24, 2005		HEL&P Jud	....		....	....	July 27, 2005	July 19, 2005	Aug. 2, 2005	56
To amend the Controlled Substances Import and Export Act to provide authority for the Attorney General to authorize the export of controlled substances from the United States to another country for subsequent export from that country to a second country, if certain conditions and safeguards are satisfied.	S.	1395	July 13, 2005			....	....	....	....	July 27, 2005	July 15, 2005	Aug. 2, 2005	57
To ensure jobs for our future with secure, affordable, and reliable energy.	H.R.	6	April 18, 2005	EC EWf FS Agr Res Sci WM TI			....	....	....	April 21, 2005	June 28, 2005	Aug. 8, 2005	58
To authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.	H.R.	3	Feb. 9, 2005	TI		Mar. 7, 2005	....	12	....	Mar. 10, 2005	May 17, 2005	Aug. 10, 2005	59
To provide for the establishment of a controlled substance monitoring program in each State.	H.R.	1132	Mar. 3, 2005	EC		July 27, 2005	....	191	....	July 27, 2005	July 29, 2005	Aug. 11, 2005	60
Making emergency supplemental appropriations to meet immediate needs arising from the consequences of Hurricane Katrina, for the fiscal year ending September 30, 2005, and for other purposes.	H.R.	3645	Sept. 2, 2005	App Bud			....	....	....	Sept. 2, 2005	Sept. 2, 2005	Sept. 2, 2005	61
Making further emergency supplemental appropriations to meet immediate needs arising from the consequences of Hurricane Katrina, for the fiscal year ending September 30, 2005, and for other purposes.	H.R.	3673	Sept. 7, 2005	App Bud			....	....	....	Sept. 8, 2005	Sept. 8, 2005	Sept. 8, 2005	62
To allow United States courts to conduct business during emergency conditions, and for other purposes.	H.R.	3650	Sept. 6, 2005	Jud			....	....	....	Sept. 7, 2005	Sept. 8, 2005	Sept. 9, 2005	63
To exclude from consideration as income certain payments under the national flood insurance program.	H.R.	804	Feb. 15, 2005	FS	BHUA	April 14, 2005	July 29, 2005	44	....	July 12, 2005	Sept. 8, 2005	Sept. 20, 2005	64
To temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the national flood insurance program.	H.R.	3669	Sept. 7, 2005	FS			....	....	....	Sept. 8, 2005	Sept. 12, 2005	Sept. 20, 2005	65
To provide the Secretary of Education with waiver authority for students who are eligible for Pell Grants who are adversely affected by a natural disaster.	H.R.	3169	June 30, 2005	EWf			....	....	....	Sept. 7, 2005	Sept. 15, 2005	Sept. 21, 2005	66

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			House	Senate	House	Senate	House 109–	Senate 109–	House	Senate	Date approved	No. 109–
To provide the Secretary of Education with waiver authority for students who are eligible for Federal student grant assistance who are adversely affected by a major disaster.	H.R. 3668	Sept. 7, 2005	EWf			....	....	....	Sept. 8, 2005	Sept. 15, 2005	Sept. 21, 2005	67
To provide assistance to families affected by Hurricane Katrina, through the program of block grants to States for temporary assistance for needy families.	H.R. 3672	Sept. 7, 2005	WM Bud			....	....	....	Sept. 8, 2005	Sept. 15, 2005	Sept. 21, 2005	68
To direct the Secretary of the Interior to convey certain land in Washoe County, Nevada, to the Board of Regents of the University and Community College System of Nevada.	S. 252	Feb. 1, 2005	Res	ENR		Mar. 14, 2005	....	38	Sept. 13, 2005	July 26, 2005	Sept. 21, 2005	69
To amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize certain projects in the State of Hawaii.	S. 264	Feb. 2, 2005	Res	ENR		Mar. 10, 2005	....	33	Sept. 13, 2005	July 26, 2005	Sept. 21, 2005	70
To revise the boundary of the Wind Cave National Park in the State of South Dakota.	S. 276	Feb. 3, 2005	Res	ENR		Mar. 8, 2005	....	21	Sept. 13, 2005	July 26, 2005	Sept. 21, 2005	71
To provide special rules for disaster relief employment under the Workforce Investment Act of 1998 for individuals displaced by Hurricane Katrina.	H.R. 3761	Sept. 14, 2005	EWf			....	....	....	Sept. 20, 2005	Sept. 21, 2005	Sept. 23, 2005	72
To provide emergency tax relief for persons affected by Hurricane Katrina.	H.R. 3768	Sept. 14, 2005	WM Bud			....	....	....	Sept. 15, 2005	Sept. 15, 2005	Sept. 23, 2005	73
To ensure funding for sportfishing and boating safety programs funded out of the Highway Trust Fund through the end of fiscal year 2005, and for other purposes.	H.R. 3649	Sept. 6, 2005	TI WM Res			....	....	....	Sept. 13, 2005	Sept. 15, 2005	Sept. 29, 2005	74
To amend the Pittman-Robertson Wildlife Restoration Act to extend the date after which surplus funds in the wildlife restoration fund become available for apportionment.	S. 1340	June 30, 2005		EPW	....	Aug. 31, 2005	....	125	Sept. 20, 2005	Sept. 9, 2005	Sept. 29, 2005	75
To extend the existence of the Parole Commission, and for other purposes.	S. 1368	July 1, 2005			....	....	....	....	Sept. 21, 2005	July 1, 2005	Sept. 29, 2005	76
Making continuing appropriations for the fiscal year 2006, and for other purposes.	H.J. Res. 68	Sept. 27, 2005	App Bud			....	....	....	Sept. 29, 2005	Sept. 30, 2005	Sept. 30, 2005	77
To extend the waiver authority of the Secretary of Education with respect to student financial assistance during a war or other military operation or national emergency.	H.R. 2132	May 5, 2005	EWf	HEL&P			....	....	Sept. 20, 2005	Sept. 27, 2005	Sept. 30, 2005	78
To extend by 10 years the authority of the Secretary of Commerce to conduct the quarterly financial report program.	H.R. 2385	May 17, 2005	GR	CST HS&GA	July 12, 2005		164	....	July 13, 2005	Sept. 26, 2005	Sept. 30, 2005	79
To amend title 38, United States Code, to enhance the Servicemembers' Group Life Insurance program, and for other purposes.	H.R. 3200	July 11, 2005	VA	VA	July 20, 2005		177	....	July 26, 2005	Sept. 27, 2005	Sept. 30, 2005	80
To temporarily extend the programs under the Higher Education Act of 1965, and for other purposes.	H.R. 3784	Sept. 15, 2005	EWf	HEL&P			....	....	Sept. 20, 2005	Sept. 26, 2005	Sept. 30, 2005	81
A bill to assist individuals with disabilities affected by Hurricane Katrina or Hurricane Rita through vocational rehabilitation services.	H.R. 3864	Sept. 22, 2005	EWf			....	....	....	Sept. 28, 2005	Sept. 28, 2005	Sept. 30, 2005	82
To amend the United States Grain Standards Act to reauthorize that Act.	S. 1752	Sept. 22, 2005			....	....	....	....	Sept. 28, 2005	Sept. 22, 2005	Sept. 30, 2005	83

To designate the facility of the United States Postal Service located at 200 South Barrington Street in Los Angeles, California, as the "Karl Malden Station".	H.R.	3667	Sept. 7, 2005	GR	HS&GA			....	....	Sept. 21, 2005	Sept. 27, 2005	Oct. 4, 2005	84
To designate the facility of the United States Postal Service located at 2600 Oak Street in St. Charles, Illinois, as the "Jacob L. Frazier Post Office Building".	H.R.	3767	Sept. 14, 2005	GR			....	....	....	Sept. 21, 2005	Sept. 27, 2005	Oct. 4, 2005	85
To provide the Secretary of Education with waiver authority for the reallocation rules in the Campus-Based Aid programs, and to extend the deadline by which funds have to be reallocated to institutions of higher education due to a natural disaster.	H.R.	3863	Sept. 22, 2005	EWf Bud			....	....	....	Sept. 27, 2005	Sept. 30, 2005	Oct. 7, 2005	86
To authorize the Secretary of Transportation to make emergency airport improvement project grants-in-aid under title 49, United States Code, for repairs and costs related to damage from Hurricanes Katrina and Rita.	S.	1786	Sept. 28, 2005	TI			....	....	....	Oct. 6, 2005	Sept. 28, 2005	Oct. 7, 2005	87
To provide for community disaster loans	S.	1858	Oct. 7, 2005			....	....	....	....	Oct. 7, 2005	Oct. 7, 2005	Oct. 7, 2005	88
To redesignate the Crowne Plaza in Kingston, Jamaica, as the Colin L. Powell Residential Plaza.	S.	1413	July 15, 2005	TI			....	....	....	Oct. 6, 2005	July 15, 2005	Oct. 13, 2005	89
Making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006, and for other purposes.	H.R.	2360	May 13, 2005	App	App	May 13, 2005	June 16, 2005	79	83	May 17, 2005	July 14, 2005	Oct. 18, 2005	90
To provide assistance to individuals and States affected by Hurricane Katrina.	H.R.	3971	Oct. 6, 2005	WM EC			....	....	....	Oct. 6, 2005	Oct. 7, 2005	Oct. 20, 2005	91
To prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages, injunctive or other relief resulting from the misuse of their products by others.	S.	397	Feb. 16, 2005			....	....	....	....	Oct. 20, 2005	July 29, 2005	Oct. 26, 2005	92
To adjust the boundary of Rocky Mountain National Park in the State of Colorado.	S.	55	Jan. 24, 2005		ENR	....	Mar. 8, 2005	....	19	Oct. 18, 2005	July 26, 2005	Oct. 26, 2005	93
To designate the Ojito Wilderness Study Area as wilderness, to take certain land into trust for the Pueblo of Zia, and for other purposes.	S.	156	Jan. 25, 2005		ENR	....	Feb. 28, 2005	....	13	Oct. 18, 2005	July 26, 2005	Oct. 26, 2005	94
To amend the Foreign Assistance Act of 1961 to provide assistance for orphans and other vulnerable children in developing countries, and for other purposes.	H.R.	1409	Mar. 17, 2005	IR			....	....	....	Oct. 18, 2005	Oct. 24, 2005	Nov. 8, 2005	95
To amend the Federal Food, Drug, and Cosmetic Act to provide for the regulation of all contact lenses as medical devices, and for other purposes.	S.	172	Jan. 26, 2005	EC	HEL&P		July 27, 2005	....	110	Oct. 26, 2005	July 29, 2005	Nov. 9, 2005	96
Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes.	H.R.	2744	June 3, 2005	App	App	June 2, 2005	June 27, 2005	102	92	June 8, 2005	Sept. 22, 2005	Nov. 10, 2005	97
To designate the Federal building located at 333 Mt. Elliott Street in Detroit, Michigan, as the "Rosa Parks Federal Building".	H.R.	2967	June 17, 2005	TI			....	....	....	Oct. 26, 2005	Nov. 1, 2005	Nov. 11, 2005	98
To extend through March 31, 2006, the authority of the Secretary of the Army to accept and expend funds contributed by non-Federal public entities to expedite the processing of permits.	H.R.	3765	Sept. 14, 2005	TI	EPW			....	....	Sept. 20, 2005	Oct. 7, 2005	Nov. 11, 2005	99

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			House	Senate	House	Senate	House 109–	Senate 109–	House	Senate	Date approved	No. 109–
To extend the special postage stamp for breast cancer research for 2 years.	S. 37	Jan. 24, 2005	GR EC AS-H	HS&GA		Sept. 26, 2005	....	140	Oct. 27, 2005	Sept. 27, 2005	Nov. 11, 2005	100
To designate the Federal building located at 333 Mt. Elliott Street in Detroit, Michigan, as the "Rosa Parks Federal Building".	S. 1285	June 22, 2005		EPW	....	Oct. 26, 2005	....	0	Nov. 2, 2005	Oct. 26, 2005	Nov. 11, 2005	101
Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes.	H.R. 3057	June 24, 2005	App	App	June 24, 2005	June 30, 2005	152	96	June 28, 2005	July 20, 2005	Nov. 14, 2005	102
Making appropriations for energy and water development for the fiscal year ending September 30, 2006, and for other purposes.	H.R. 2419	May 18, 2005	App	App	May 18, 2005	June 16, 2005	86	84	May 24, 2005	July 1, 2005	Nov. 19, 2005	103
To authorize the Secretary of the Navy to enter into a contract for the nuclear refueling and complex overhaul of the U.S.S. Carl Vinson (CVN-70).	H.R. 4326	Nov. 15, 2005	AS-H			....	....	....	Nov. 16, 2005	Nov. 18, 2005	Nov. 19, 2005	104
Making further continuing appropriations for the fiscal year 2006, and for other purposes.	H.J. Res 72	Nov. 16, 2005	App			....	....	....	Nov. 17, 2005	Nov. 18, 2005	Nov. 19, 2005	105
To temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the national flood insurance program.	H.R. 4133	Oct. 25, 2005	FS		Nov. 7, 2005	....	274	....	Nov. 16, 2005	Nov. 18, 2005	Nov. 21, 2005	106
To designate the facility of the United States Postal Service located at 442 West Hamilton Street, Allentown, Pennsylvania, as the "Mayor Joseph S. Daddona Memorial Post Office".	H.R. 2490	May 19, 2005	GR	HS&GA			....	....	June 27, 2005	Nov. 8, 2005	Nov. 22, 2005	107
Making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes.	H.R. 2862	June 10, 2005	App	App	June 10, 2005	June 23, 2005	118	88	June 16, 2005	Sept. 15, 2005	Nov. 22, 2005	108
To designate the facility of the United States Postal Service located at 2061 South Park Avenue in Buffalo, New York, as the "James T. Molloy Post Office Building".	H.R. 3339	July 19, 2005	GR	HS&GA			....	....	July 26, 2005	Nov. 8, 2005	Nov. 22, 2005	109
To provide for a land exchange in the State of Arizona between the Secretary of Agriculture and Yavapai Ranch Limited Partnership.	S. 161	Jan. 25, 2005		ENR	....	Mar. 16, 2005	....	40	Nov. 15, 2005	July 26, 2005	Nov. 22, 2005	110
To increase, effective as of December 1, 2005, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans.	S. 1234	June 14, 2005		VA	....	Sept 21, 2005	....	138	Nov. 16, 2005	Nov. 16, 2005	Nov. 22, 2005	111
An Act to make amendments to the Iran Nonproliferation Act of 2000 related to International Space Station payments, and for other purposes.	S. 1713	Sept. 15, 2005		FR	....		....	....	Oct. 26, 2005	Sept. 21, 2005	Nov. 22, 2005	112
To amend part E of title IV of the Social Security Act to provide for the making of foster care maintenance payments to private for-profit agencies.	S. 1894	Oct. 19, 2005	WM			....	....	....	Nov. 9, 2005	Oct. 19, 2005	Nov. 22, 2005	113

Making appropriations for military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2006, and for other purposes.	H.R.	2528	May 23, 2005	App	App	May 23, 2005	July 21, 2005	95	105	May 26, 2005	Sept. 22, 2005	Nov. 30, 2005	114
Making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes.	H.R.	3058	June 24, 2005	App	App	June 24, 2005	July 26, 2005	153	109	June 30, 2005	Oct. 20, 2005	Nov. 30, 2005	115
To direct the Joint Committee on the Library to obtain a statue of Rosa Parks and to place the statue in the United States Capitol in National Statuary Hall, and for other purposes.	H.R.	4145	Oct. 26, 2005	HA			....	....	....	Nov. 18, 2005	Nov. 18, 2005	Dec. 1, 2005	116
To amend Public Law 89-366 to allow for an adjustment in the number of free roaming horses permitted in Cape Lookout National Seashore.	H.R.	126	Jan. 4, 2005	Res	ENR		Oct. 19, 2005	....	154	Mar. 14, 2005	Nov. 16, 2005	Dec. 1, 2005	117
To designate certain National Forest System land in the Commonwealth of Puerto Rico as a component of the National Wilderness Preservation System.	H.R.	539	Feb. 2, 2005	Res	ENR	June 14, 2005	Oct. 19, 2005	126	155	Sept. 13, 2005	Nov. 16, 2005	Dec. 1, 2005	118
To authorize appropriations to the Secretary of the Interior for the restoration of the Angel Island Immigration Station in the State of California.	H.R.	606	Feb. 2, 2005	Res	ENR		Oct. 19, 2005	....	157	May 23, 2005	Nov. 16, 2005	Dec. 1, 2005	119
To direct the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of including in the National Park System certain sites in Williamson County, Tennessee, relating to the Battle of Franklin.	H.R.	1972	April 28, 2005	Res		Nov. 10, 2005	....	289	....	Nov. 15, 2005	Nov. 16, 2005	Dec. 1, 2005	120
To make access to safe water and sanitation for developing countries a specific policy objective of the United States foreign assistance programs, and for other purposes.	H.R.	1973	April 28, 2005	IR		Oct. 28, 2005	....	260	....	Nov. 7, 2005	Nov. 16, 2005	Dec. 1, 2005	121
To designate the facility of the United States Postal Service located at 57 West Street in Newville, Pennsylvania, as the "Randall D. Shughart Post Office Building".	H.R.	2062	May 3, 2005	GR	HS&GA			....	....	Sept. 27, 2005	Nov. 18, 2005	Dec. 1, 2005	122
To designate the facility of the United States Postal Service located at 567 Tompkins Avenue in Staten Island, New York, as the "Vincent Palladino Post Office".	H.R.	2183	May 5, 2005	GR	HS&GA			....	....	July 13, 2005	Nov. 18, 2005	Dec. 1, 2005	123
To designate the facility of the United States Postal Service located at 208 South Main Street in Parkdale, Arkansas, as the Willie Vaughn Post Office.	H.R.	3853	Sept. 21, 2005	GR	HS&GA			....	....	Oct. 18, 2005	Nov. 18, 2005	Dec. 1, 2005	124
To authorize the Secretary of the Interior to recruit volunteers to assist with, or facilitate, the activities of various agencies and offices of the Department of the Interior.	H.R.	584	Feb. 2, 2005	Res	ENR		Oct. 19, 2005	....	156	Mar. 14, 2005	Nov. 16, 2005	Dec. 7, 2005	125
To direct the Secretary of Interior to convey certain land held in trust for the Paiute Indian Tribe of Utah to the City of Richfield, Utah, and for other purposes.	H.R.	680	Feb. 9, 2005	Res			Nov. 7, 2005	....	175	Mar. 14, 2005	Nov. 18, 2005	Dec. 7, 2005	126
To revoke a Public Land Order with respect to certain lands erroneously included in the Cibola National Wildlife Refuge, California.	H.R.	1101	Mar. 3, 2005	Res	ENR		Oct. 27, 2005	....	172	May 23, 2005	Nov. 16, 2005	Dec. 7, 2005	127
Making further continuing appropriations for the fiscal year 2006, and for other purposes.	H.J. Res.	75	Dec. 17, 2005	App			....	....	....	Dec. 17, 2005	Dec. 17, 2005	Dec. 18, 2005	128

Title	Bill No.	Date introduced	Committee		Date Reported		Report No.		Date of passage		Public Law	
			House	Senate	House	Senate	House 109–	Senate 109–	House	Senate	Date approved	No. 109–
To provide for the collection and maintenance of human cord blood stem cells for the treatment of patients and research, and to amend the Public Health Service Act to authorize the C.W. Bill Young Cell Transplantation Program.	H.R. 2520	May 23, 2005	EC			....	....	....	May 24, 2005	Dec. 16, 2005	Dec. 20, 2005	129
To direct the Secretary of the Interior to convey a parcel of real property to Beaver County, Utah.	S. 52	Jan. 24, 2005	Res	ENR		Mar. 30, 2005	....	43	Dec. 6, 2005	July 26, 2005	Dec. 20, 2005	130
To authorize the Secretary of the Interior to provide supplemental funding and other services that are necessary to assist certain local school districts in the State of California in providing educational services for students attending schools located within Yosemite National Park, to authorize the Secretary of the Interior to adjust the boundaries of the Golden Gate National Recreation Area, to adjust the boundaries of Redwood National Park..	S. 136	Jan. 24, 2005	Res EWf	ENR		April 28, 2005	....	63	Dec. 6, 2005	July 26, 2005	Dec. 20, 2005	131
To amend the Valles Caldera Preservation Act to improve the preservation of the Valles Caldera, and for other purposes.	S. 212	Jan. 31, 2005	Res	ENR		Feb. 23, 2005	....	10	Dec. 6, 2005	July 26, 2005	Dec. 20, 2005	132
To amend the Act of June 7, 1924, to provide for the exercise of criminal jurisdiction.	S. 279	Feb. 3, 2005	Res	IA			....	....	Dec. 6, 2005	July 26, 2005	Dec. 20, 2005	133
To authorize the transfer of naval vessels to certain foreign recipients.	S. 1886	Oct. 18, 2005	IR			....	....	....	Dec. 6, 2005	Oct. 18, 2005	Dec. 20, 2005	134
To amend the Internal Revenue Code of 1986 to provide tax benefits for the Gulf Opportunity Zone and certain areas affected by Hurricanes Rita and Wilma, and for other purposes.	H.R. 4440	Dec. 6, 2005	WM			....	....	....	Dec. 7, 2005	Dec. 16, 2005	Dec. 22, 2005	135
To amend the Native American Housing Assistance and Self-Determination Act of 1996 and other Acts to improve housing programs for Indians.	H.R. 797	Feb. 14, 2005	FS	IA		Oct. 27, 2005	....	160	April 6, 2005	Nov. 8, 2005	Dec. 22, 2005	136
To amend the Federal Water Pollution Control Act to extend the authorization of appropriations for Long Island Sound.	H.R. 3963	Sept. 29, 2005	TI		Nov. 14, 2005	....	293	....	Dec. 7, 2005	Dec. 16, 2005	Dec. 22, 2005	137
To authorize early repayment of obligations to the Bureau of Reclamation within Rogue River Valley Irrigation District or within Medford Irrigation District.	H.R. 4195	Nov. 1, 2005	Res	ENR	Dec. 6, 2005		323	....	Dec. 6, 2005	Dec. 16, 2005	Dec. 22, 2005	138
To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to reauthorize the predisaster mitigation program, and for other purposes.	H.R. 4324	Nov. 15, 2005	TI	HS&GA			....	....	Nov. 18, 2005	Dec. 15, 2005	Dec. 22, 2005	139
To provide certain authorities for the Department of State, and for other purposes.	H.R. 4436	Dec. 6, 2005	IR GR			....	....	....	Dec. 14, 2005	Dec. 15, 2005	Dec. 22, 2005	140
To commend the outstanding efforts in response to Hurricane Katrina by members and employees of the Coast Guard, to provide temporary relief to certain persons affected by such hurricane with respect to certain laws administered by the Coast Guard, and for other purposes.	H.R. 4508	Dec. 13, 2005	TI			....	....	....	Dec. 14, 2005	Dec. 16, 2005	Dec. 22, 2005	141

Recognizing Commodore John Barry as the first flag officer of the United States Navy.	H.J. Res.	38	Mar. 17, 2005	AS-H			....	....	....	Dec. 14, 2005	Dec. 16, 2005	Dec. 22, 2005	142
To reauthorize the Congressional Award Act	S.	335	Feb. 9, 2005	EWf	HS&GA		June 23, 2005	....	87	Dec. 14, 2005	July 14, 2005	Dec. 22, 2005	143
To extend the applicability of the Terrorism Risk Insurance Act of 2002.	S.	467	Feb. 18, 2005		BHUA	....	Nov. 16, 2005	....	0	Dec. 7, 2005	Nov. 18, 2005	Dec. 22, 2005	144
To require the Secretary of the Treasury to mint coins in commemoration of each of the Nation's past Presidents and their spouses, respectively to improve circulation of the $1 coin, to create a new bullion coin, and for other purposes.	S.	1047	May 17, 2005		BHUA	....	July 29, 2005	....	0	Dec. 13, 2005	Nov. 18, 2005	Dec. 22, 2005	145
To require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the desegregation of the Little Rock Central High School in Little Rock, Arkansas, and for other purposes.	H.R.	358	Jan. 25, 2005	FS WM	BHUA	June 15, 2005		134	....	June 27, 2005	Nov. 18, 2005	Dec. 22, 2005	146
To allow binding arbitration clauses to be included in all contracts affecting land within the Gila River Indian Community Reservation.	H.R.	327	Jan. 25, 2005	Res			....	....	....	Dec. 7, 2005	Dec. 14, 2005	Dec. 22, 2005	147
Making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, and for other purposes.	H.R.	2863	June 10, 2005	App	App	June 10, 2005	Sept. 28, 2005	119	141	June 20, 2005	Oct. 7, 2005	Dec. 30, 2005	148
Making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes.	H.R.	3010	June 21, 2005	App	App	June 21, 2005	July 14, 2005	143	103	June 24, 2005	Oct. 27, 2005	Dec. 30, 2005	149
To temporarily extend the programs under the Higher Education Act of 1965, and for other purposes.	H.R.	4525	Dec. 14, 2005	EWf			....	....	....	Dec. 17, 2005	Dec. 22, 2005	Dec. 30, 2005	150
To amend title I of the Employee Retirement Income Security Act of 1974, title XXVII of the Public Health Service Act, and the Internal Revenue Code of 1986 to extend by one year provisions requiring parity in the application of certain limits to mental health benefits.	H.R.	4579	Dec. 16, 2005	EWf EC WM			....	....	....	Dec. 17, 2005	Dec. 22, 2005	Dec. 30, 2005	151
To authorize the American Battle Monuments Commission to establish in the State of Louisiana a memorial to honor the Buffalo Soldiers.	S.	205	Jan. 31, 2005	Res	ENR		Mar. 9, 2005	....	24	Dec. 19, 2005	July 26, 2005	Dec. 30, 2005	152
To provide financial assistance for the rehabilitation of the Benjamin Franklin National Memorial in Philadelphia, Pennsylvania, and the development of an exhibit to commemorate the 300th anniversary of the birth of Benjamin Franklin.	S.	652	Mar. 17, 2005	Res	ENR		Oct. 19, 2005	....	147	Dec. 19, 2005	Nov. 16, 2005	Dec. 30, 2005	153
To amend the Public Lands Corps Act of 1993 to provide for the conduct of projects that protect forests, and for other purposes.	S.	1238	June 14, 2005		ENR	....	Oct. 19, 2005	....	152	Dec. 19, 2005	Nov. 16, 2005	Dec. 30, 2005	154
To authorize appropriations for the National Aeronautics and Space Administration for science, aeronautics, exploration, exploration capabilities, and the Inspector General, and for other purposes, for fiscal years 2006, 2007, 2008, 2009, and 2010.	S.	1281	June 21, 2005		CST	....	July 26, 2005	....	108	Nov. 18, 2005	Sept. 28, 2005	Dec. 30, 2005	155
To authorize the Secretary of the Interior to allow the Columbia Gas Transmission Corporation to increase the diameter of a natural gas pipeline located in the Delaware Water Gap National Recreation Area.	S.	1310	June 24, 2005		ENR	....	Dec. 8, 2005	....	194	Dec. 19, 2005	Dec. 16, 2005	Dec. 30, 2005	156
To amend the Indian Land Consolidation Act to provide for probate reform.	S.	1481	July 26, 2005	Res			....	....	....	Dec. 19, 2005	July 26, 2005	Dec. 30, 2005	157

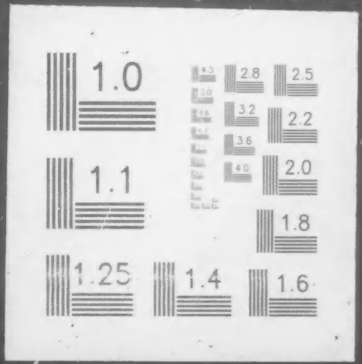
Title	Bill No.		Date intro-duced	Committee		Date Reported		Report No.		Date of passage		Public Law	
				House	Senate	House	Senate	House 109–	Senate 109–	House	Senate	Date ap-proved	No. 109–
To amend Public Law 107-153 to modify a certain date.	S.	1892	Oct. 19, 2005			....	Dec. 8, 2005	....	201	Dec. 19, 2005	Dec. 16, 2005	Dec. 30, 2005	158
To authorize the transfer of items in the War Reserves Stockpile for Allies, Korea.	S.	1988	Nov. 9, 2005	IR AS-H			....	....	....	Dec. 18, 2005	Nov. 9, 2005	Dec. 30, 2005	159
To amend the USA PATRIOT ACT to extend the sunset of certain provisions of that Act and the lone wolf provision of the Intelligence Reform and Terrorism Prevention Act of 2004 to July 1, 2006.	S.	2167	Dec. 21, 2005			....	....	....	....	Dec. 22, 2005	Dec. 21, 2005	Dec. 30, 2005	160
To reauthorize the Temporary Assistance for Needy Families block grant program through March 31, 2006, and for other purposes.	H.R.	4635	Dec. 18, 2005	WM			....	....	....	Dec. 19, 2005	Dec. 22, 2005	Dec. 30, 2005	161
To authorize appropriations for the Department of Justice for fiscal years 2006 through 2009, and for other purposes.	H.R.	3402	July 22, 2005	Jud	Jud	Sept. 22, 2005		233	....	Sept. 28, 2005	Dec. 16, 2005	Jan. 5, 2006	162
To authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.	H.R. (S. 1042)	1815	April 26, 2005	AS-H	AS-S	May 20, 2005	May 17, 2005	89	69	May 25, 2005	Nov. 15, 2005	Jan. 6, 2006	163
To authorize appropriations for fiscal years 2006 and 2007 for the Trafficking Victims Protection Act of 2000, and for other purposes.	H.R.	972	Feb. 17, 2005	IR AS-H Jud EC		Nov. 18, 2005 Dec. 8, 2005	....	317	....	Dec. 14, 2005	Dec. 22, 2005	Jan. 10, 2006	164
To amend the Torture Victims Relief Act of 1998 to authorize appropriations to provide assistance for domestic and foreign programs and centers for the treatment of victims of torture, and for other purposes.	H.R.	2017	April 28, 2005	IR EC			....	....	....	Dec. 6, 2005	Dec. 22, 2005	Jan. 10, 2006	165
To reauthorize and amend the Junior Duck Stamp Conservation and Design Program Act of 1994.	H.R.	3179	June 30, 2005	Res			....	....	....	Dec. 19, 2005	Dec. 22, 2005	Jan. 10, 2006	166
To amend the Passport Act of June 4, 1920, to authorize the Secretary of State to establish and collect a surcharge to cover the costs of meeting the increased demand for passports as a result of actions taken to comply with section 7209(b) of the Intelligence Reform and Terrorism Prevention Act of 2004.	H.R.	4501	Dec. 13, 2005	IR			....	....	....	Dec. 18, 2005	Dec. 22, 2005	Jan. 10, 2006	167
To make certain technical corrections in amendments made by the Energy Policy Act of 2005.	H.R.	4637	Dec. 18, 2005	EC			....	....	....	Dec. 19, 2005	Dec. 22, 2005	Jan. 10, 2006	168
To implement the United States-Bahrain Free Trade Agreement.	H.R.	4340	Nov. 16, 2005	WM		Dec. 6, 2005	....	318	....	Dec. 7, 2005	Dec. 13, 2005	Jan. 11, 2006	169

TABLE OF COMMITTEE ABBREVIATIONS

Agr	Agriculture
ANF	Agriculture, Nutrition, and Forestry
App	Appropriations
AS-H	Armed Services (House)
AS-S	Armed Services (Senate)
BHUA	Banking, Housing, and Urban Affairs
Bud	Budget
CST	Commerce, Science, and Transportation
EC	Energy and Commerce
ENR	Energy and Natural Resources
EPW	Environment and Public Works

EWf ....Education and the Workforce
Fin ....Finance
FS ....Financial Services
FR ....Foreign Relations
HS ....Homeland Security
HS&GA ..Homeland Security and Governmental Affairs
GR ....Government Reform
HEL&P ..Health, Education, Labor and Pensions
HA ....House Administration
IA ....Indian Affairs
IR ....International Relations
Jud ....Judiciary
R ....Rules
RAdm ....Rules and Administration
Res ....Resources
Sci ....Science
SB ....Small Business
TI ....Transportation and Infrastructure
VA ....Veterans' Affairs
WM ....Ways and Means

NOTE.–The bill in parentheses is a companion measure.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